

THE NICARAGUA INQUIRY

**THE SILENCING OF
DEMOCRACY IN
NICARAGUA**

APRIL 2024



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International Law,
Justice And
Accountability



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Central America

THE NICARAGUA INQUIRY

The Silencing of Democracy in Nicaragua

Parliamentary ad-hoc inquiry into politically motivated targeting of the media, religious leaders, and the opposition in Nicaragua

April 2024

This is not an official publication of the House of Commons or the House of Lords. It has not been approved by either House or its committees. Ad-hoc inquiries are inquiries conducted by informal groups of Members of both Houses with a common interest in particular issues. The views expressed in this report are those of the group. The inquiry that led to the production and publication of this report was supported by the International Bar Association's Human Rights Institute.

When you look at the crimes against humanity the regime of Daniel Ortega and Rosario Murillo are perpetrating in Nicaragua, you will realise, that their regime is probably one of the most brutal dictatorships in the world.

-

Bianca Jagger

Under the *de facto* police state, there is no freedom of assembly or association, nor freedom of religion in Nicaragua. In 2021, the regime erased the possibility of holding free elections, and since 2022 and 2023 it has increased its relentless persecution against civil society, shutting down more than 3800 non-governmental organisations.

-

Carlos Fernando Chamorro

First They Came

by Pastor Martin Niemöller

First, they came for the Communists

And I did not speak out

Because I was not a Communist

Then they came for the Socialists

And I did not speak out

Because I was not a Socialist

Then they came for the trade unionists

And I did not speak out

Because I was not a trade unionist

Then they came for the Jews

And I did not speak out

Because I was not a Jew

Then they came for me

And there was no one left

To speak out for me

The Inquiry

This Inquiry was convened by Lord Alton of Liverpool, acting chair of the Inquiry, who brought together several cross-party Parliamentarians, and All-Party Parliamentary Groups (APPGs) to ensure that the situation in Nicaragua receives attention and is examined in detail.

The Parliamentary Panel includes Lord Alton of Liverpool, Baroness Kennedy of the Shaws, Baroness Hooper, Brendan O’Hara MP, Fiona Bruce MP, The Lord Bishop of Winchester and Mark Menzies MP.

The Inquiry Secretariat includes Dr Ewelina Ochab, IBAHRI senior lawyer and Inquiry lead, Emily Foale, IBAHRI lawyer, and Geraldine Chacón V and Anton’ de Piro, human rights advocates.

The APPGs involved the APPG on Central America, the APPG on International Law, Justice and Accountability, and the APPG on International Freedom of Religion or Belief.

Aims of the Inquiry

The aim of the Inquiry was to:

- i. consider the situation in Nicaragua, and in particular, the ever-growing targeting of anyone critical of the Nicaraguan government, including, opposition leaders, human rights defenders, journalists and religious leaders;
- ii. identify the assistance (legal, humanitarian, and otherwise) available to those targeted and its shortfalls;
- iii. engage the UK Government and international actors with recommendations on assistance to the community, including through the UN Universal Periodic Review of Nicaragua conducted in 2024 (with deadline for stakeholders submissions on 8 April 2024).

Objectives

The main objective of this Inquiry was to consider the situation in Nicaragua and the ever-growing suppression of human rights and identify practical and meaningful steps that can be taken by the UK Government (as well as other States) to address it, as a matter of international concern.

It examined whether the Nicaraguan government has been violating human rights, including as per the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR)¹ and the American Convention on Human Rights (ACHR) which apply to Nicaragua.

Evidence gathering and timetable

The Inquiry proceeded in three stages, starting in February 2024.

¹ Nicaragua acceded to the ICCPR on 12 March 1980.

First, it identified the evidence collected to date. It also identified gaps in the evidence that could become a priority for the Inquiry.

Second, it conducted an open call for submissions relating to evidence, facts on the ground and the application of relevant law by targeting experts, members of international or non-governmental organisations (NGOs), and fact witnesses including survivors (where appropriate). The call for written submissions was publicised on the website of the Inquiry and also on social media.

The Inquiry held three oral hearings with experts and lived experience witnesses. Despite initial plans to have public oral hearings, a decision was made to close the session to Inquiry members only. This was as many lived experience witnesses expressed well-founded fears for their family members in Nicaragua if they were found to be speaking about their experiences. Similarly, many individuals asked for their data to be anonymised because of the same well-founded concerns. The Inquiry has heard from 13 lived experience witnesses and experts and received over 60 written submissions. **(The Inquiry has reviewed all submissions and cites many of them below. The Inquiry could not verify all the information provided.)**

Third, after publishing the report, the Inquiry will engage the UK Government, other States, and international organisations (including the UPR process) with the findings and recommendations.

Acknowledgements

The Inquiry would like to thank all the brave Nicaraguans who spoke to the Inquiry and shared their painful experiences.

The Inquiry would also like to thank experts who kindly reviewed the drafts of this report and offered comments and guidance, including Professor Julie Cupples.

The Inquiry would like to thank Geraldine Chacón V for her assistance with interpretations during the oral hearings.

Last, but not least, the Inquiry would like to thank Bianca Jagger for inspiring the creation of the Inquiry.

The Inquiry was conducted independently and without any financial assistance from any individual, group, organisation, or state. The Inquiry and this report were produced with pro bono assistance from lawyers from the International Bar Association's Human Rights Institute.

Executive Summary

The overwhelming evidence received by the Inquiry paints a very disturbing picture of the situation in Nicaragua. This evidence is consistent with the extensive concerns raised by regional and international bodies since 2018.

While the UK Government has been critical of the atrocities perpetrated, it can and should consider more proactive actions to address the atrocities, including those identified below.

Recommendations for the UK Government (and other States):

Awareness raising and diplomacy

- Support the initiative, launched in July 2023 by 179 Nicaraguan victims and 29 human rights organisations, to create a 'Group of Friends of the Nicaraguan People', that should conduct high-level meetings to design, in consultation with Nicaraguan civil society groups and other relevant stakeholders, a strategy to curb abuses, provide pathways to accountability, and push for free and fair elections;
- Work with other States to raise the situation of human rights in the country in every regional and international forum;
- Work with other States to strengthen diplomacy on the topic at international venues;
- Brief the Home Office in relation to the situation of human rights in Nicaragua to be considered when reviewing asylum applications;
- Provide emergency visas for journalists and human rights defenders at risk of persecution;
- Provide assistance to Nicaraguan refugees in the UK through protection from the risks of transnational repression (including the possibility of family reunification where family members remain threatened), and the provision of psychological assistance for those who have been victims of torture;
- Review its guidance and policies regarding travel, business, etc. to ensure that they are fully reflective of the risks of human rights violations in Nicaragua;
- Hold formal hearings of both the House of Commons Foreign Affairs Committee and the House of Lords Select Committee on Defence and International Relations to consider the situation in Nicaragua and the findings of this inquiry; and ask the FCDO Minister for Central America, David Rutley MP, to respond to this report and its findings.

Justice and accountability

- Promote efforts to conduct criminal investigations against senior officials in the Nicaraguan government under the principle of universal jurisdiction;
- Explore the options of bringing proceedings, unilaterally or jointly with other countries, against Nicaragua before the ICJ;

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- Impose Magnitsky sanctions against all those responsible for human rights violations in Nicaragua, and encourage the uptake of these sanctions in coordination with other states, including the US;

Assistance

- Provide support and technical assistance for persons who have been victims of serious human rights violations in Nicaragua, including, those seeking redress;
- Provide support to independent journalists and media outlets conducting investigative journalism to ensure comprehensive coverage of the situation in Nicaragua;

Further research needed:

- Examine the ties between Nicaragua, Russia and China, and identify the risks involved, including the implications of foreign investment into human rights violations in the country;
- Examine the implications for regional stability of the mass displacement of 1 million Nicaraguans to Costa Rica and in some cases to the Mexican border and the USA.

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I. INTRODUCTION

Recent years have seen an extreme crackdown on human rights in Nicaragua, particularly following the protests of 2018. In April of that year, the proposed social security reforms, which were intended to put more pressure on workers while providing fewer benefits, resulted in university students and others taking to the streets of Nicaragua.² These protests, perceived by Ortega as a threat to his power, were met with violence from pro-government militia and security forces. Some 355 people were killed, making it the deadliest protest since the revolution in Nicaragua.³ Following the protests, the Ortega regime escalated its human rights violations raising concerns internationally about crimes against humanity being perpetrated in the country.

These concerns were rightly picked up by the international community. Along with others, between 17 to 21 May 2018, the Inter-American Commission on Human Rights (IACHR), an autonomous organ of the Organisation of American States, carried out a working visit to Nicaragua with the aim of observing the human rights situation in the country firsthand and issuing recommendations to the government. On 21 May, the IACHR published its preliminary observations on the visit, and on 22 June, its final report entitled '*Gross Human Rights Violations in the Context of Social Protests in Nicaragua*.' The June 2018 report of the IACHR raised several grave concerns in relation to how the Nicaraguan regime handled the 2018 protests in Nicaragua. As they indicated, the response was marked by the excessive use of force including,

- (a) the excessive and arbitrary use of police force,
- (b) the use of parapolice forces or shock groups with the acquiescence and tolerance of State authorities,
- (c) obstacles in accessing emergency medical care for the wounded, as a form of retaliation for their participation in the demonstrations,
- (d) a pattern of arbitrary arrests of young people and adolescents who were participating in protests,
- (e) the dissemination of propaganda and stigmatisation campaigns, measures of direct and indirect censorship,
- (f) intimidation and threats against leaders of social movements, and
- (g) lack of diligence in opening investigations into the killings and bodily injuries taking place in this context.⁴

² See for example: <https://www.aljazeera.com/features/2018/8/13/this-is-a-revolution-who-are-nicaraguas-student-protesters>.

³ See: https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2021/302.asp.

⁴ See: <https://www.oas.org/en/iachr/reports/pdfs/Nicaragua2018-en.pdf>.

On 24 June 2018, the IACHR installed the Special Monitoring Mechanism for Nicaragua (MESENI from its Spanish language acronym) to uphold the monitoring of the human rights situation. Afterwards, on 2 July 2018, the Commission announced the installation of the Interdisciplinary Group of Independent Experts (GIEI from its Spanish language acronym), which was assigned the responsibility of assisting and supporting the investigations into the deaths that took place in the context of the violent events in the country.

On 21 December 2018, the GIEI published a report on its findings from the IACHR's working visit to Nicaragua entitled *'Final Report on the Acts of Violence That Occurred between April 18 and May 30, 2018.'*⁵ The GIEI concluded that the Nicaraguan government had been involved in widespread and systematic attacks on the civilian population that amounted to **crimes against humanity**. As reported, in the period from 18 April until 30 May 2018, the GIEI identified at least 109 fatalities, more than 1,400 injured and more than 690 detained persons. These numbers continued to grow and the Global Centre for the Responsibility to Protect reported that 'between April and September 2018 at least 320 people were killed and 2,000 injured.'⁶ This number was later confirmed as 355 by the IACHR.⁷

Apart from the findings of crimes against humanity as per the excessive use of force in response to the protests, the GIEI also raised the descent of Nicaragua into a hostile environment for anyone labelled as an enemy of the regime. This is illustrated in several ways, including their reports of,

evidence that showed the discrimination suffered by wounded demonstrators when they went to public hospitals in a range of situations, that went from the denial of medical attention, even in the face of very serious cases, to instances of inadequate attention and the mistreatment of relatives.⁸

Because of the finding of crimes against humanity, the GIEI recommended urgent action to address the atrocities, including *'investigations and, if appropriate, [to] prosecute those responsible for those crimes pursuant to the principle of universal jurisdiction, and according to their national laws.'*⁹

In 2019, the IACHR reported on severe attacks on the press.¹⁰ In 2023, following their escalation, the IACHR concluded that *'no guarantee is provided for the exercise of the right to freedom of expression. Nor are proper conditions provided to ensure effective civic*

⁵ See: https://gieinicaragua.org/giei-content/uploads/2019/01/GIEI_INFORME_DIGITAL_10_01_2019.pdf.

⁶ Ibid.

⁷ See: https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2021/302.asp.

⁸ Ibid.

⁹ Ibid.

¹⁰ See: https://www.oas.org/en/iachr/media_center/PReleases/2019/026.asp.

*participation in matters of public interest.*¹¹ The attacks recorded included the censorship and closures of media outlets, undue interference in press freedom, the weaponisation of the press to smear opposition figures, the use of lawfare to counter freedom of expression, the use of regulation to block the internet, and the arbitrary arrests and detention of journalists including **Wilfredo Brenes Domínguez, Karla and Fernando Escobar Maldonado, Ramón Javier Cerrato, Keneth Martínez, Jorge García and Salvador Orozco, and the killing of Angel Gahona.** Since 2018, it is estimated that 208 journalists have been forced to flee Nicaragua.¹² The IACHR also raised concerns regarding the reports of ill-treatment and physical punishment of imprisoned women and men held in La Esperanza and La Modelo prisons. One of the reported cases suggests that on 31 December 2018, prisoners in La Modelo were attacked by anti-riot officers armed with AK47s, tear gas, and dogs, for singing the national anthem.

These violations have continued over the years, against a variety of perceived critics in addition to the independent press. In 2022, President Daniel Ortega was reported to have *'ordered the arrest of, forced into exile, and verbally attacked priests and bishops, labelled them "criminals" and "coup-plotters," and accused them of inciting violence.'*¹³ Because of the attacks, in August 2022, the IACHR condemned the *'escalating repression against members of the Roman Catholic Church in Nicaragua.'*¹⁴ IACHR classified the acts as,

systematic persecution, criminalisation, harassment, police hounding, stigmatising comments by State authorities, and, more generally, acts of repression targeting members of the Roman Catholic Church in Nicaragua, due to its mediation efforts in the national talks of 2018 and its critical position to denounce human rights violations committed in the context of Nicaragua's ongoing crisis.¹⁵

According to the UN Group of Human Rights Experts on Nicaragua, an independent body established by the UN Human Rights Council in March 2022, and mandated to investigate all alleged human rights violations in Nicaragua, since December 2018, at least **3,144 civil society organisations have been shut down, their assets seized by the State, and virtually all independent media and human rights organisations operate from abroad.**¹⁶

2022 also saw shutdowns and confiscations of assets belonging to several organisations linked to the Roman Catholic Church, including the Catholic University of Dry Tropic Farming

¹¹ See: www.oas.org/en/iachr/reports/pdfs/2023/Cierre_espacio_civico_Nicaragua_ENG.pdf.

¹² See: www.hrw.org/world-report/2024/country-chapters/nicaragua.

¹³ See: <https://www.state.gov/reports/2022-report-on-international-religious-freedom/nicaragua/>.

¹⁴ See: https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2022/184.asp.

¹⁵ Ibid.

¹⁶ See: www.ohchr.org/en/press-releases/2023/03/nicaragua-crimes-against-humanity-being-committed-against-civilians.

and Livestock, several schools in the Estelí diocese, and Saint Teresa of Calcutta's Missionaries of Charity, whose members were expelled from Nicaragua.

This repression continued into 2023. In February 2023, the Nicaraguan authorities exiled 222 political prisoners and deprived them of their nationality, accusing them of being 'traitors to the homeland.'¹⁷ Around Christmas 2023, the Government arbitrarily arrested and detained clergymen including Father Silvio Fonseca, an open critic of the Nicaraguan government's intense persecution of the Catholic Church, and Bishop Isidro Mora and Father Pablo Villafranca, each of whom offered prayers for the wrongfully imprisoned Bishop Rolando Álvarez before they were arrested. Furthermore, on 24 December 2023 (Christmas Eve), the government sentenced six former employees of the Catholic charity Caritas, Julio Sevilla, Julio Berríos, Bladimir Pallés, María Verónica Herrera Galeano, Freydell Andino, and Mariví Andino, to six years imprisonment on dubious money laundering charges. This follows several other attacks against religious leaders in preceding months, including the sentencing of aforementioned Bishop Rolando Álvarez to 26 years imprisonment, expelling religious prisoners of conscience to the United States and the Vatican, and closing down Catholic charitable and educational institutions such as the Jesuit-run University of Central America.

Bishop Rolando Álvarez was ordered to remain under house arrest on charges of 'conspiracy' and 'spreading false news.'¹⁸ He was also accused of 'damaging the Nicaraguan government and society' after he criticised the Government for its closure of several Catholic radio stations and its violations of human rights more broadly. He was later sentenced to 26 years in prison after he declined to be exiled to the United States and has been reportedly convicted of several charges, including treason, undermining national integrity and spreading false news. Reportedly, he was also fined and stripped of his citizenship.

On 4 January 2024, the United States Commission on International Religious Freedom (USCIRF), a US federal government commission created by the International Religious Freedom Act of 1998, issued a statement strongly condemning the Nicaraguan government. USCIRF Vice Chair Frederick A. Davie said:

USCIRF is outraged that the Nicaraguan government has chosen to continue its brutal crackdown on members of the Catholic Church for speaking out about the religious freedom and human rights violations occurring in the country. It has become increasingly clear that President Daniel Ortega and Vice President Rosario Murillo are intent on silencing the voice of any individual peacefully following the dictates of their conscience.¹⁹

Because of the dire situation in Nicaragua, in its 2023 Annual Report, USCIRF recommended the US Department of State redesignate Nicaragua as a Country of Particular Concern (CPC)

¹⁷ Ibid. See Appendix B.

¹⁸ See: <https://www.state.gov/reports/2022-report-on-international-religious-freedom/nicaragua/>.

¹⁹ See: <https://www.uscirf.gov/news-room/releases-statements/uscirf-condemns-nicaraguas-arbitrary-detention-priests>.

for its systematic, ongoing, and egregious violations of religious freedom. CPCs are countries responsible for particularly severe violations of religious freedom. On 4 January 2024, Secretary Blinken ultimately announced that he designated Nicaragua, among other countries, as a CPC for having engaged in or tolerated particularly severe violations of religious freedom.

In 2023, the UN Group of Human Rights Experts on Nicaragua reported on the widespread human rights violations that amount to crimes against humanity as committed against civilians by Nicaragua's government for political reasons.²⁰ The alleged atrocities include:

extrajudicial executions, arbitrary detentions, torture, arbitrary deprivation of nationality and of the right to remain in one's own country – are not an isolated phenomenon but the product of the deliberate dismantling of democratic institutions and destruction of civic and democratic space.²¹

Their report identified a pattern of extrajudicial executions carried out by agents of the National Police and members of pro-government armed groups. It further identified that the Government has used arbitrary detention as a tool to silence critics.

The widespread human rights violations in Nicaragua have resulted in many fleeing the country. According to the UNHCR, Costa Rica is the principal country of destination for people in need of international protection, primarily from Nicaragua. Since 2018, the country has hosted over 300,000 Nicaraguans seeking asylum.²² The UNHCR reported that:

- As of 2022, Costa Rica was hosting about 270,600 people in need of international protection - 5% of the population - including asylum-seekers (239,640), refugees (14,088), and 235 persons at risk of statelessness.
- 87% of asylum-seekers are from Nicaragua, with others coming from Venezuela, Cuba, and northern Central America countries.
- Since 2018, Nicaraguans have been forced to flee from the socio-political crisis; others already living in Costa Rica were forced to lodge asylum claims to prevent refoulement, for fear of persecution if they returned to their country.
- In 2022, in the context of Nicaragua's presidential elections, Costa Rica was the world's third-largest recipient of new individual asylum claims: over 100,000 were registered by nationals of Nicaragua.²³

Furthermore, the number of Nicaraguans going to the US has also increased dramatically. For example, in 2022, US authorities registered the largest number of Nicaraguan migrants

²⁰ See: <https://www.ohchr.org/en/press-releases/2023/03/nicaragua-crimes-against-humanity-being-committed-against-civilians>.

²¹ Ibid.

²² See: <https://www.migrationpolicy.org/article/record-emigration-nicaragua-crisis#:~:text=Today%2C%20the%20more%20than%20192%2C000,Rica's%20population%20of%205.2%20million>.

²³ See: <https://reporting.unhcr.org/costa-rica-how-can-development-actors-support-refugees-and-migrants>.

encountered at the US-Mexico border: 163,876, having increased from 50,722 in 2021 and 3,164 in 2020.²⁴

It is expected that these numbers have been steadily increasing.

²⁴ See for example: <https://www.cbsnews.com/news/cuba-venezuela-nicaragua-migrants-processed-record-us-border-2022/>.

II. THE SITUATION IN NICARAGUA

1. INTRODUCTION

As the Inquiry was conducting its oral hearings, the UN Group of Experts on Nicaragua published its report for the 55th session of the Human Rights Council. The report was presented at the UN on 29 February 2024. Furthermore, the chair of the Group of Experts, Jan Michael Simon, testified before the Inquiry. The Group of Experts found that the Nicaraguan Government continues to perpetrate *'serious systematic human rights violations, tantamount to crimes against humanity.'*²⁵ The Group of Experts examined the abuses targeting specific groups: university students and faculty, indigenous people and people of African descent, members of the Catholic Church and other Christian denominations, and members of the *campesino* movement.²⁶ The report of the Group of Experts presents a highly concerning human rights situation in Nicaragua that cannot be ignored. Some of the findings are mentioned below.

The Group of Experts confirmed that the human rights violations in Nicaragua are an ongoing issue, with the Government having *'total (...) control over any civic space in Nicaragua'* and eradicating any opposition and criticism, including having,

adapted and expanded the persecution and forms of repression, by silencing any – even remote – form of criticism, targeting an ever-growing group of individuals, and forcing more and more Nicaraguans to leave their country, intimidating those who have left and depriving them of their fundamental human rights.²⁷

The Group of Experts expressed that the persecution, which affected anyone seen as an opponent, manifested as harassment, threats, surveillance, and arbitrary detention and resulted in the victims and their relatives *'liv[ing] in constant fear.'*²⁸

The Group of Experts found a litany of human rights violations including:

nondiscrimination; freedom from torture; liberty and security of person; fair trial and due process of law; effective remedy; liberty of movement; right to a nationality; recognition as a person before the law; freedom from interference with privacy and family; freedom of opinion and expression; freedom of conscience and religion; peaceful assembly; freedom of association; participation in public affairs; education and academic freedom; work; social security; and an adequate standard of living (...) [and children rights] not to be subject of discrimination of any kind, irrespective of the child's or his or her parents' political or other opinion; to preserve his or her identity, including nationality, name and family relations as recognised by law

²⁵ See: https://www.ohchr.org/sites/default/files/A_HRC_55_27_AdvanceUneditedVersion1_0.pdf.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

without unlawful interference; and not to be separated from his or her parents without judicial review and due process.²⁹

The Group of Experts commented on the use of torture by the regime. Based on their interviews with many of those expelled (including 73 people from the group of 222 expelled to the US in February 2023), ill-treatment in detention was a common occurrence:

The victims all corroborated the patterns of ill-treatment detailed in the Group's first report, which, in many cases, reached the threshold of torture, due to the combination of different acts, their prolonged nature, the presence of other stressors or vulnerabilities, and the severe psychological pain inflicted on the victims.³⁰

According to the Group of Experts, which has been consistently corroborated across their several reports,

a variety of State and non-state actors, following orders from the President and the Vice-President, perpetrated serious human rights violations and abuses against part of the Nicaraguan population by reason of their political identity. These violations and abuses were found to be consistent, prima facie, with the elements that constitute the international prohibition and the international criminal law definition of **crimes against humanity**.³¹

The Group of Experts warned that those arbitrarily detained were not afforded the right to a fair trial. The experiences of 85 people detained in the mass operation in May 2023 suggested coordination between the prosecutor's office and the judiciary:

Those arrested were transferred to Managua where they were brought before judges in hearings held at night. Most of them were charged with conspiracy to undermine national integrity and spreading false news through technology. They were released the following day on the condition to report daily to a designated police station until further notice. Their legal situation remains uncertain. Many have opted to leave the country in the face of constant harassment by the authorities and the prospect of prosecution and conviction.³²

This well-founded fear of repression has forced many to leave the country. The Group of Experts also raised the issue of mass exile as a result of the dire human rights situation in the country:

²⁹ See: <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session55/advance-versions/a-hrc-55-27-aev.docx>.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

The Office of the United Nations High Commissioner for Refugees (UNHCR) reports that, as of June 2023, there were 271,740 Nicaraguan asylum seekers and 18,545 Nicaraguans recognised as refugees worldwide.

In all cases documented by the Group, people who had fled Nicaragua had suffered one or more of the violations and abuses identified in its reports. On many occasions, individuals were forced to flee owing to exposure to an intimidating or coercive environment created by a variety of repressive acts that amounted to expulsion or other forms of coercion. To this end, arbitrary detention and violations of the right to a fair trial were instrumental.³³

The human rights violations perpetrated by the regime are not confined to the borders of Nicaragua. The Group of Experts commented on the issue of transnational repression, a means of attempting to silence opposition extraterritorially deployed by many regimes globally:

The authorities have also extended the persecution to Nicaraguans located abroad, banning them from entering the country, depriving them of their nationality and legal identity, denying them access to official documentation and consular support, preventing family reunification, especially with children, and depriving them of their pension entitlements and assets left in Nicaragua. The authorities have also resorted, on occasion, to violating the human rights of relatives who remained in the country to intimidate and/or punish those who had left.³⁴

The Inquiry was not intended to replicate the work of the Group of Experts but to engage with victims/survivors and experts, and provide a platform for them to engage and contribute to the recommendations for the UK Government specifically (and also other States and international bodies).

The analysis below is based on oral hearings with 13 lived experience witnesses and experts, and over 60 written submissions received in response to the open call for submissions. Within the information received, a very small number of submissions claimed that the international reports on human rights violations in Nicaragua were propaganda. The majority of these have commented on the issue of religious persecution, claiming that it is not accurate, and blaming the religious leaders, who were detained and expelled, for trying to 'overthrow' the government. The issue will be explored further in this report.

2. SILENCING DEMOCRACY AND CLOSING CIVIC SPACE

The slow but steady process of silencing democracy in Nicaragua pre-dates 2018 and the violent response to the breaking out of protests. In his submission, Felix Maradiaga, former Secretary General of the Ministry of Defence under the former administration, former

³³ Ibid.

³⁴ Ibid.

presidential candidate, and recipient of the 2023 Sergei Magnitsky Human Rights Award, drew attention to the rapid democratic backsliding upon Ortega's return to power in 2006:

Daniel Ortega's return to power marked the onset of a **rapid erosion of democracy and the constriction of civic spaces**. I found myself deeply troubled by the conspicuous absence of voices within Nicaragua sounding the alarm about the ominous scenarios that could materialise in the country's uncertain future.³⁵

Frequent use of riot police in response to peaceful demonstrations, undermining of independent media operations and violations of the Nicaraguan constitution became frequent occurrences since 2006.³⁶

Juanita Goebertus Estrada, Director of the Americas Division at Human Rights Watch, testified before the Inquiry that:

The Government of President Daniel Ortega, in office since 2007, has dismantled all checks on executive power and systematically used repression to silence dissent and curtail fundamental freedoms. President Ortega and his wife, Vice-President Rosario Murillo, have subordinated the judiciary by packing the courts with judges allied to their party who have arbitrarily persecuted critics and dissidents. The National Assembly, which they control, has enacted far-reaching restrictions on civil and political rights, including freedom of expression and association. The government also controls the Supreme Electoral Council (Consejo Supremo Electoral, CSE), Nicaragua's electoral oversight body, which has barred opposition political parties.³⁷

Manuel Orozco, Senior Migration and Remittances Advisor for the International Fund for Agricultural Development, Senior fellow and director of remittances and development at the Inter-American Dialogue, president of Migration and Development Group, testified to this deliberate policy enacted by the regime, and the levels of centralisation and corruption of power:

A form of totalitarian radicalisation has now consolidated in Nicaragua. The Nicaraguan regime has ensured a pathway toward a dynastic succession transferring power from Daniel Ortega to Rosario Murillo and three of the sons, sharing some administrative policy-making duties to Laureano Ortega, Rafael Ortega and Juan Carlos Ortega. The mechanism of political control operates through two arms of this dynasty: a circle of power that manages repression and public administration, and the family clan that handles political and economic matters through the state. The result constitutes complete control of social, cultural, political and economic life.³⁸

³⁵ Written submission, Felix Maradiaga.

³⁶ See: Julie Cupples and Kevin Glynn, *Shifting Nicaraguan Mediascapes: Authoritarianism and the Struggle for Social Justice* (Springer, 2018).

³⁷ Oral hearing, Juanita Goebertus Estrada.

³⁸ Written submission, Manuel Orozco.

The subsequent years saw this trend exacerbated, reaching a climax in 2018. Juanita Goebertus Estrada further explained that no one has been brought to justice for these violations, and such impunity resulted in further atrocities:

In the run-up to the November 2021 presidential elections, we documented that dozens of critics, including seven would-be presidential candidates, were arbitrarily detained for months, most of them accused of “treason,” and held incommunicado. Many were subjected to repeated interrogations and abusive conditions, including prolonged solitary confinement or insufficient food. The government charged many with serious crimes without providing substantiating evidence.³⁹

The overwhelming evidence received by the Inquiry suggests that the Nicaraguan regime has been taking consistent steps to silence democracy and close civic space. The different manifestations of this are discussed in this section. The closure of civil society organisations, and media outlets, and restrictions on freedom of expression through surveillance and regulations, are well documented and have resulted in a chilling effect across the country. Bianca Jagger, Nicaragua-born human rights defender, founder and president of the Bianca Jagger Human Rights Foundation (BJHRF) gave evidence as to how ‘*Nicaraguan human rights organisations have been stripped of their legal status, had their offices confiscated and many of their staff have been forced into exile or are de facto under house arrest, like the courageous Dr Vilma Nuñez, President of CENIHD.*’⁴⁰ The submission added that:

The Ortega-Murillo regime’s crackdown on civil society in Nicaragua is a key component of their efforts to achieve absolute control of the country. This is more than a mere erosion of freedom; it is a deliberate destruction of the pillars that sustain a democratic society. Almost 4,000 NGOs have been dismantled, stripped of their legal status, and most were confiscated – this includes the International Red Cross (ICRC), CARITAS and OYANKA, which supports victims of domestic violence and recently the Boy Scouts.⁴¹

This has, in turn, forced at least 10% of Nicaraguans to migrate.⁴² Indeed, Bianca Jagger testified that ‘*three fundamental pillars of Nicaraguan democracy - the Catholic Church, the independent media, and the educational institutions - have been trampled by the Ortega-Murillo regime. The regime has effectively eliminated all forms of pluralism in the country.*’⁴³

In 2018, all international monitoring mechanisms were expelled from Nicaragua, including a team from the United Nations Commission for Human Rights and the IACHR Special

³⁹ Ibid.

⁴⁰ Written submission, BJHRF.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Ibid.

Monitoring Mechanism for Nicaragua.⁴⁴ This move came only a few days after the UN Commission on Human Rights published a very critical report into human rights in Nicaragua looking into months of anti-government protests where more than 300 people were killed during the political unrest.⁴⁵ The team was initially invited by Ortega to help monitor a national dialogue process between the Government and the protestors which stalled.

It is noteworthy that in May 2018, in an attempt to find a solution to the growing tensions, Ortega summoned 14 representatives of civil society, including NGOs, academia and the private sector, to participate in a national dialogue (National Dialogue). The Nicaraguan Episcopal Conference was designated as the mediator. The National Dialogue was suspended within a week, as an agreement was unreachable. While the dialogue was resumed in mid-June 2018, it was cancelled within weeks after a wave of attacks against religious congregations.

Below we focus on the various aspects of democracy and civic space that were targeted by the Nicaraguan regime including the silencing of and attacks on:

- Journalists, scholars, and human rights defenders more broadly,
- Political opposition,
- Religious leaders (and the Catholic Church more broadly - as the last bastion of human rights in Nicaragua).

2.1. SILENCING JOURNALISTS, SCHOLARS AND HUMAN RIGHTS DEFENDERS

Journalists

In 2023, the IACHR documented that at least 54 national media outlets had been closed down since 2018, including the takeover of the facilities of media organisations **100% Noticias, Confidencial, La Prensa, and Trinchera de la Noticia**.⁴⁶ Independent journalists have faced campaigns of harassment, defamation, violence, censorship, arrest and detention, in an attempt to silence dissenting voices. The ramifications of this on the wider public to be able to realise and fight for their rights are extensive.

Bianca Jagger testified to the Inquiry on the impact of the targeting of journalists and media outlets in Nicaragua:

⁴⁴ See: <https://www.bbc.co.uk/news/world-latin-america-45380265> and <https://www.hrw.org/world-report/2024/country-chapters/nicaragua#:~:text=No%20international%20monitoring%20bodies%20have,of%20Independent%20Experts%2C%20and%20OHCHR.>

⁴⁵ The report can be found here: https://www.ohchr.org/sites/default/files/Documents/Countries/NI/HumanRightsViolationsNicaraguaApr_Aug2018_EN.pdf.

⁴⁶ See: www.oas.org/en/iachr/reports/pdfs/2023/Cierre_espacio_civico_Nicaragua_ENG.pdf.

To silence independent media, Ortega and Murillo launched an **unprecedented crackdown on press freedom by closing and confiscating some of the most important independent media in Nicaragua such as El Diario, La Prensa, Confidencial, 100% Noticias and Radio Darío, as well as television channel Canal 12.** They also ordered the forced closure of Catholic media outlets, which included 11 radio stations and four TV Channels.

In 2018 journalist Ángel Gahona was shot dead while live-streaming a protest against Ortega. Since the civil unrest in 2018, more than 200 journalists have been forced into exile, including Carlos Fernando Chamorro, founder and director of Confidencial, whose offices were raided and confiscated in 2018. According to him, “Media outlets have been forced to choose between self-censorship or exile, to avoid jail, and continue reporting freely.” As a result, they continue to report on the abuses of the Ortega-Murillo regime, operating from outside the country, on digital platforms.⁴⁷

The Institute for Race, Equality and Human Rights, an international NGO that works with partner organisations and human rights defenders in Latin America to promote and protect the human of marginalised communities, corroborated this in their testimony, as they submitted:

Censorship strategies have been intensifying and becoming more sophisticated over time, such that human rights protection bodies agree that there are currently no conditions to be able to exercise freedom of expression and independent journalism in the country. **In the six years of sociopolitical crisis, media outlets have been systematically censored and their work equipment confiscated so that as of the date of this writing, it is estimated that more than 50 outlets have been closed, 15 have been confiscated, and more than 200 journalists are in exile.** (...) At the end of May 2021, within the framework of the pre-electoral period, a new stage of repression began characterised by the systematic criminalisation of any person or organisation considered to be in opposition, many of these people being journalists or communication workers. One of the milestones that marked the beginning of this stage was, precisely, the opening of the investigation process against the Violeta Barrios de Chamorro Foundation (hereinafter, FVBCH), its staff and former workers. (...) During 2021, the Public Ministry summoned at least 63 journalists, media collaborators, media managers, commentators or photojournalists to testify, subjecting them to arbitrary and intimidating interrogations with the aim of silencing them and sending a dissuasive message to the press. (...) During 2021 at least 54 journalists were forced into exile.⁴⁸

⁴⁷ Written submission, BJHRF.

⁴⁸ Written submission, The Institute for Race, Equality and Human Rights.

Since 2021, attacks on the press have continued to occur, and during 2023, at least 36 journalists were forced into exile, bringing the total to 242 professionals who have been forced to flee Nicaragua since 2018.⁴⁹

Carlos Fernando Chamorro, journalist and director of Confidencial.digital, submitted to the Inquiry that as a result of the political persecution, that has intensified since 2018 up until the present day, there are no longer any independent media or foreign correspondents working in Nicaragua:

We all operate from exile, based in Costa Rica, the United States, Spain, and other countries. **In Nicaragua, there are no longer any independent sources to whom facts, data or analysis can be attributed. Because of fears of official reprisals - including imprisonment - all of them, without exception, request anonymity as a condition to inform or give their opinion to the press.** This double-sided criminalisation of both freedom of the press and freedom of expression with the purpose of silencing journalists, news sources, and freedom of opinion, represents the latest stage in a long process of demolishing the rule of law in Nicaragua in the last 15 years. (...)

Since the political crisis that exploded in Nicaragua five years ago in April 2018, repression against journalism included assassinations and physical assaults, television censorship, physical destruction of media outlets, and customs blockades to prevent newspapers from getting paper and other materials. All this culminated in the closure and confiscation of media outlets, the imposition of new repressive laws, and the imprisonment of journalists.

The last one occurred in April 2023, when the journalist, **Victor Ticay**, from Channel 10 was captured by the police for having published a report on his Facebook account about a religious procession that took place during Easter. Ticay was [convicted and] sentenced to eight years in jail, for the alleged crimes of “conspiracy” and “spreading fake news.”

To continue reporting and telling the truth under a dictatorship is an act of resistance. My newsroom at Confidencial has been confiscated and seized twice by the police. First, in December 2018, and second in May 2021, when the Police once again stole all our computers and TV equipment. Despite all that, we never stopped reporting and broadcasting, not even a single day, by using digital platforms and social media.

Daniel Ortega also confiscated the cable TV channel 100% Noticias and the newspaper La Prensa. But he has never been able to silence journalism itself, and the media continue to report from exile.

The regime has also shut down more than 50 local radio and television stations, and more than 200 journalists have been forced into exile. Some of them have reorganised around some 25 digital media outlets, mainly in Costa Rica, the United States, and

⁴⁹ See: www.articulo66.com/2023/04/25/ortega-ejecuto-apagon-informativo-e-impuso-sus-noticias-falsas-en-nicaragua/.

Spain. However, more than a third of exiled journalists have had to take on other jobs to survive, or have left the profession for fear of reprisals against their families.

Our television programs have been banned from broadcast and cable television, but we continue to [grow] through YouTube channels and Facebook. Social media represents an extraordinary vehicle for overcoming censorship, but it has also become a space for disinformation and political polarisation that competes against the independent press. Since mid-2021, I have been in exile in Costa Rica for the second time to avoid being silenced because of a criminal indictment and arrest warrant for me in Nicaragua. My entire newsroom, and practically all independent media, are working from exile.⁵⁰

Aníbal Toruño, director and owner of Radio Darío who was exiled and is currently living in exile, testified to the Inquiry about how Radio Darío was attacked on several occasions:

[It was] destroyed 6 times between the dictatorships of Anastasio Somoza and Daniel Ortega in the 80s during the Sandinista dictatorship. On April 20, 2018, Radio Darío was destroyed by a command of Ortega paramilitaries, 12 people escaped death in the middle of the flames of the fire they caused.

I was granted precautionary measures by the IACHR, including ten of my journalists [colleagues].⁵¹

During 2021, there were several raids on Radio Darío, and threats made to Aníbal Toruño personally, resulting in a police siege on Radio Darío headquarters between 6 and - 10 January 2022. In 2023, Mr Toruño also had proceedings brought against him - for which he was only alerted through a Resolution of the Court of Appeals of Managua without prior notification.⁵² In March 2023, the headquarters of Radio Darío were seized as State property of Nicaragua, and construction began to use the property as part of the Ministry of Health.⁵³

Freedom House has documented the continuing decline of internet freedom, with severe criminal penalties in place by the authorities for individuals' online activities, the deployment of cyber-surveillance technology, and internet outages during the 2018 protests.⁵⁴ The lifeline of independent online media still available for Nicaraguans is largely now provided by journalists in exile but is further constrained by such restrictions of the digital space.⁵⁵

⁵⁰ Written submission, Carlos Fernando Chamorro.

⁵¹ Written submission, Anibal Toruno.

⁵² Written submission, Institute for Race, Equality and Human Rights.

⁵³ Ibid.

⁵⁴ See: <https://freedomhouse.org/country/nicaragua/freedom-net/2023>.

⁵⁵ Ibid.

Human rights defenders

Felix Maradiaga testified to the inquiry about how he has been targeted by the State, under the pretext that he conspired to overthrow the government, and alleging ‘*that through [his] work as a university professor and coordinator of think tanks in Nicaragua, [he] “trained” individuals to carry out the spontaneous civic protests that began in 2018.*’ He further explained the price he paid for speaking out about the human rights situation in Nicaragua including arrests, physical abuse, assassination attempts, and so on:

At the time the protests began, I held the position of Director of the Institute for Strategic Studies and Public Policy (IEEPP). In that capacity, several international human rights organisations, including the Inter-American Commission on Human Rights and United Nations agencies, as well as the European Union and various academic institutions worldwide, requested that I prepare reports on the country's situation. Consequently, between April and July 2018, I travelled throughout the country to gather direct testimonies from hundreds of victims and witnesses of the violent repression of the protests. (...) In both books published in 2018, we documented more than a decade of serious rights abuses, making it one of the first reports based on statistics and documentary evidence on the escalation of violence by the Nicaraguan state before 2018. These reports were the first of many technical reports my team and I had to produce while facing constant danger.

On May 28th, I experienced the first assassination attempt when two shots were fired at me in front of my office in Managua. Although the origin of the shots was never definitively proven, there are strong suspicions that they came from agents or individuals associated with the Ortega regime. Additionally, the regime's false accusations regarding the funding of my think tank (IEEPP) were direct attempts to criminalise and stigmatise me. The Interdisciplinary Expert Group (GIEI) documented these threats and highlighted that authorities never provided any evidence to support these baseless accusations.

To make the situation even more severe, on July 7th, Daniel Ortega pointed me out in national and international media as the person responsible for alleged acts against the state using money from the National Endowment for Democracy. (...) In an interview with Max Blumenthal of the Grayzone media (an interview that was broadcast live throughout Nicaragua), he called me a “terrorist,” compared me to an “ISIS member,” and claimed –without any evidence – that I was receiving millions of dollars from the United States government to destabilise his government.

In the interview with Blumenthal, Ortega stated that “**[Maradiaga] would be brought to justice.” This interview amounted to a death sentence in Nicaragua, and after it was publicly broadcast, it became practically impossible for me to move to Nicaragua.** (...) I was forced to live almost clandestinely within Nicaragua as death threats from fanatics became more frequent. Given the danger to our lives, my daughter, mother,

and wife successfully departed Nicaragua through a rescue operation.

Despite the grave risks, I persisted in travelling across the country to document the situation and interview civil society leaders, students, and pro-democracy activists, all while advocating for non-violence. On July 9, paramilitary groups detained me and my colleague Fidel Moreira. Masked men threatened to kill me, and I faced a moment of imminent danger. They were not official soldiers but wore military attire and behaved erratically. Despite their threats, I remained composed and reiterated our peaceful intentions. They demanded I record a video apologising to Daniel Ortega for alleged coup attempts, but I refused to comply with their demands. After a tense encounter, their leader ultimately decided to release me unharmed.

A subsequent attempt on my life happened on July 11, 2018. While I was in the city of Leon, meeting with university students to gather their testimonies for a report I was preparing for the OAS, a group of sympathisers of the Sandinista Front broke into the building where I was and beat me severely, sending me to the hospital for several days. During the attack, it was clear that among the dozens of people involved, there were individuals armed with revolvers, knives, and sticks. Despite being attacked with bladed weapons, none of the injuries were severe. However, after the incident, several diplomatic missions urged me to leave the country. I received diplomatic support to depart Nicaragua for a period of time and reunite with my family. I returned to Nicaragua in September 2019.

My attempts to return to Nicaragua were fraught with difficulties. For several months, Nicaraguan immigration authorities barred me from boarding flights operated by Nicaraguan airlines. Despite multiple unsuccessful attempts, I only managed to re-enter Nicaragua on September 16, 2019, after significant diplomatic pressure exerted through private channels. However, a few months later, my Nicaraguan passport was revoked. Despite having no pending legal cases, I endured 19 months of extended periods of house arrest imposed by the police without any judicial order.⁵⁶

Douglas Castro, human rights advocate and scholar, testified to the Inquiry that:

I suffered not only persecution, surveillance, and siege by the police, paramilitary groups, and supporters of the Nicaraguan regime but also harassment and defamation through their media outlets and social networks. Because of this, in 2021, I was forced to cross the border between Nicaragua and Costa Rica irregularly, guided by human traffickers, through muddy trails and fleeing from border patrols. Theoretically, I could enter Costa Rica regularly, as I had a visa that allowed it. However, I could not do so because there was a warrant for my arrest, a ban on leaving, and a ban on entering issued by the Nicaraguan regime, as confirmed to me by a childhood friend who worked in the immigration office. To present myself at the Nicaraguan border post was

⁵⁶ Written submission, Felix Maradiaga.

to hand myself over to the regime and become a political prisoner, as were already my closest circle of colleagues at that time, most of whom were stripped of their nationality and are now living in exile.⁵⁷

Guillermo Gonzalo Carrión Maradiaga, lawyer and human rights defender with over 30 years of experience, submitted to the Inquiry that he was a member of the Nicaraguan Center for Human Rights (CENIDH), an organisation that was cancelled and raided by the authorities in December 2018. On 18 April 2018, on the first day of the protests, he was attacked by members of the Sandinista youth in the presence of the police. On 9 May 2018, he was publicly accused by the National Autonomous University of Nicaragua of being the architect of the takeover of the university.⁵⁸ He was exiled to Costa Rica at the end of December 2018. On 15 February 2023, he was included in the list of 94 people stripped of their nationality. In May 2023, he was arbitrarily suspended from the exercise and status of a lawyer and notary, by the Judicial Branch. On 11 September 2023, the house that he and his wife bought 20 years ago and in which they lived with his daughters, was occupied by agents and people close to the Ortega Murillo regime.

Scholars

Professor Julie Cupples, Professor of Human Geography and Cultural Studies at the University of Edinburgh and a Nicaragua expert, submitted to the Inquiry how journalists, NGO representatives, and scholars working with her were targeted in Nicaragua:

In 2018, the regime sent government thugs to murder one of my research participants, Bluefields journalist, **Ángel Gahona, who was killed while doing a live report on the political situation.** In 2021, **the government imprisoned two of my closest friends and collaborators (Irving Larios who was in jail for 16 months and Tamara Dávila who was in jail for 22 months) and both were subjected to cruel and degrading treatment during their incarceration.** Both were released, deported and stripped of their Nicaraguan citizenship in February 2023, along with 220 others, in direct violation of the 1961 convention on statelessness. They are now trying to rebuild their lives in the United States having lost almost everything.

Irving Larios was the director of a development NGO, INGES, that worked to reduce rural poverty in different parts of Nicaragua. INGES was forcibly closed down by the government who took all of the organisation's assets including their files, vehicles and computers along with the building that housed the NGO that was a donation from an Irish aid agency. Irving and all of the NGO employees lost their jobs and their incomes. Since then, Irving has also lost his home (along with all of his personal belongings including photos of his children), his pension and his Nicaragua citizenship and is currently staying with a family member in Miami.

⁵⁷ Written submission, Douglas Castro.

⁵⁸ Written submission, Guillermo Gonzalo Carrión Maradiaga.

Another close collaborator (who wishes to remain anonymous) was an academic at a Nicaraguan university and a prominent community leader and broadcaster. He felt that his position as an academic had become untenable as the regime was telling them not only what to research but also what their findings would be, and he went into exile (...). Another, a radio broadcaster (who also wishes to remain anonymous) went into exile after his house had been under siege for many months, with a constant police presence outside monitoring his movements and that of any visitors.⁵⁹

Leonardo David Monge submitted to the Inquiry about the aftermath of his participating in a protest in 2018:

It was on 18 April 2018, we took to the streets to raise our voices and we were attacked by paramilitaries and Sandinista Youth. (...) I was a victim of an attack by paramilitaries and Sandinista Youth. [The] video was recorded when I was attacked and people identified with shirts from the government party and they stole my documents and cell phone.⁶⁰

Junieette Delagneau Brenes, student at the time of the 2018 protests, submitted to the Inquiry:

[I was involved] in the April 19 University Movement, which emerged in April in protests against the government. We remained entrenched in the Polytechnic University of Nicaragua and the University of Managua, where I witnessed countless violations of Human Rights and crimes against Humanity by the Government of Daniel Ortega and Rosario Murillo.

Likewise, I participated in the first national dialogue that was established to find a solution to the situation, which unfortunately did not bear the expected results, starting from that moment the persecution against me by the ORMU Government and its followers.

I received threats, persecution and repression. Even my father was politically kidnapped for the simple fact of refusing to hand me over and repressing the people. I participated in countless campaigns inside and outside the country as an opponent of the government, which increased my persecution.⁶¹

Osmar Zamora testified on his arrest and abuse suffered at the hands of the regime:

I got arrested and falsely accused of terrorism, drugs, and gun possession. Of course, none of this was ever confirmed but still, I was sent to jail. I spent two days in a cell surrounded by all types of criminals like thieves, assassins, [rapists], etc. I had to spend the first night in a small cell, with no shoes or clothes, I was left with underwear only. There were around 10 people with me, all of us in a cell of probably 4*4 sq mts. That was the first time I knew a prison inside, and I hope it is the last one. In the end, my

⁵⁹ Written submission, Julie Cupples.

⁶⁰ Written submission, Leonardo David Monge.

⁶¹ Written submission, Junieette Delagneau Brenes.

family had to pay a huge amount of money for me to be released, however, the officer said that as a condition my family had to delete all the evidence of my detention (videos, pictures, documents), and we should never speak about what they had done with me (*sic*).⁶²

A submission from a witness, who wished to remain anonymous, indicated:

In April 2018, I participated with my husband in the anti-government protests, providing food to the students who were at the barricades. As a result, our lives changed drastically, after the uprising of the tanks in July 2018, we have been victims of persecution by the Ortega Murillo dictatorship, first, they harassed us with our restaurant (which we lost due to harassment). They denied us permits to operate, they sent police patrols outside the restaurant to intimidate customers, among other things. We decided to move departments, since at that time, leaving the country was not an option for us. So we began to work anonymously in another department, when we lost our business, we tried another field, but we decided that what we were best at, and the most profitable for our economy, was the restaurant.

In 2020 we returned to our place of origin because we believed that the danger had passed, but the dictatorship did not forget. They harassed us in the same way, they denied us permits to start our business again, and they put police patrols outside our house, but we continued with our lives, we did not want to leave our country, and despite government harassment, we never gave in. We had our business in many places, for the same reason, they did not allow us to work in peace, and we never gave up.

In February 2023, the persecution escalated, this time they sent police to knock on our door directly and threaten us, they watched us day and night, and the worst thing was that they threatened me with my daughters, at this point we had to decide to leave the country, because the dictatorship respects nothing, it is capable of everything, they have outraged and slandered the Catholic Church, they imprison and torture priests. My question at that moment was: "If they are capable of attacking the Catholic Church, which is the maximum reference of respect for Nicaraguans, how are they not going to carry out their threats and come for my daughters, as they expressed to me in the messages they sent me."⁶³

One submission to the Inquiry stated:

I was well known in the city, I was a member of an opposition party and I coordinated an LGBTIQ diversity network that was the first in the country to seek spaces for political participation. However, my experience and political work had nothing to do with the protests since the protests were spontaneous and unplanned expressions that arose

⁶² Written submission, Osmar Zamora.

⁶³ Written submission, anonymous 13/7.

from the discontent of the people with so many deaths that the country had already suffered.

When they notified me that they were going to look for me, I went to a neighbour's house around 5 PM on July 8 and the paramilitaries arrived at 6 pm. They searched the entire house and when they couldn't find me they decided to leave. At my neighbour's house, along with my family, we planned a way to leave the city and seek refuge somewhere else.

From my city, I went to a house to hide and I was there for a month and a half. The information continued to reach me about the effects of the repression of July 8, more than 140 young people who were in prison had been arrested, 13 murdered and more than 48 wounded by bullets and thousands who fled that day seeking refuge in Costa Rica.

After reviewing and verifying information with the airport if I had any restrictions on leaving the country through friends who work at the airport. Since I was not yet on any list, I decided on August 25, 2018, to leave Nicaragua. Of my friends and colleagues from the political party, their leaders were imprisoned for up to 2 years in Nicaragua. All the members of my LGBTIQ organisation went into exile in different countries.

That August 25, 2018, when I left Nicaragua, my feelings were mixed, I felt that this was not the country where I was born and raised, I was like a foreigner in another land, and on the other hand, sadness, pain and anger from the helplessness of not being able to do nothing to change that reality. I only had in my mind those who died and I could not even attend their funeral, those who remained in jail, those who disappeared and my family who remained in the country.

The police and paramilitaries continued to come looking for me in September 2019, October and December 2020, August 2021, September and November 2022 and September 2023. They only say that it is a controlled visit.⁶⁴

Colectivo de Mujeres de Matagalpa, the Collective of Women from Matagalpa, submitted to the Inquiry that on 30 August 2021, the authorities in Nicaragua arbitrarily cancelled the legal status of the organisation. This decision was published in La Gaceta No. 162, as per Decree No. 8767 approved by the National Assembly of the Republic of Nicaragua. As the organisation submitted, one year later, on 1 September 2022:

The police, both civilian and uniformed, showed up, taking over the collective's facilities, arbitrarily expropriating us from our premises where the sexual and reproductive health care and emotional health care spaces operated. (...) The impact of the arbitrary cancellation of the organisation and the theft of the facilities means the loss and impossibility of continuing to develop all these processes of defence of human rights with urban and rural women, adolescents and young people. Therefore, the lack

⁶⁴ Written submission, anonymous 10/26.

of protection for the most vulnerable people, such as children and impoverished women.⁶⁵

This had a devastating impact on the communities deprived of the important services provided by the organisation. As they explained:

[Each year, the organisation provided] care and legal support for women, children and adolescents in situations of violence with 16,000 services for 7,000 people per year, especially women with limited resources and from rural areas. There were educational-creative spaces with 200 girls, boys and adolescents, library information spaces with 2,000 services per year, as well as spaces for educational meetings for various groups of people whose fundamental human rights were vulnerable.⁶⁶

A similar fate was met by another NGO promoting non-traditional technical trades for women. The activities of this NGO were suspended since the beginning of the crisis and in May 2022 their legal status was cancelled, the same fate suffered by thousands of NGOs. In addition, their premises were confiscated, with it being likely that the rest of the assets were/will be seized. *'The majority of its members dispersed in search of a life in exile as a consequence and due to the lack of opportunities.'*⁶⁷

Several submissions were made concerning the closure of NGOs working in Nicaragua. Some reported that more than 3,000 NGOs have been closed.⁶⁸ As explained by Juanita Goebertus Estrada:

Among the groups stripped of their legal registration are dozens of humanitarian organisations, which played a critically important role in ensuring access to health services, water, and food for low-income, mostly rural communities. Authorities have also cancelled the legal status of 28 universities, including, most prominently, the Jesuit-run Universidad Centroamericana (UCA). They have seized their assets and left thousands of students without access to education. A 2020 “foreign agents” law allows the cancellation of the legal status of organisations that obtain foreign funds and conduct activities that “interfere in Nicaragua’s internal affairs.”⁶⁹

2.2. SILENCING POLITICAL OPPOSITION

Political opposition was another target of the Ortega regime. In relation to the 2021 Presidential election, Bianca Jagger submitted to the Inquiry:

Nicaragua held another fraudulent presidential election, which the European Union Parliament declared an “electoral farce”, and President Biden accused Daniel Ortega

⁶⁵ Written submission, Colectivo de Mujeres de Matagalpa.

⁶⁶ Ibid.

⁶⁷ Written submission, anonymous 7/19.

⁶⁸ Written submission, Anibal Toruno.

⁶⁹ Oral hearing, Juanita Goebertus Estrada.

and his wife Rosario Murillo of orchestrating a pantomime election that was neither free nor fair. **The regime arbitrarily incarcerated seven presidential pre-candidates, and approximately forty opposition leaders, students, rural leaders, journalists, human rights defenders, and business representatives, effectively eliminating all credible electoral competition. Daniel Ortega and Rosario Murillo had consolidated their absolute power, eviscerating all democratic institutions, and the consequences have been devastating.** A report by the IACHR states that a police state has been established through repression, corruption, electoral fraud, and structural impunity designed by the government to indefinitely perpetuate its power and maintain its privileges and immunities.⁷⁰

Felix Maradiaga testified to the repression he faced as a result of his political engagement:

In 2021, the year of the presidential elections, Ortega launched a new wave of repression by eliminating all the opposition candidates and silencing prominent civil society leaders. As such, he arbitrarily arrested me and other presidential candidates. Three other candidates were forced into exile.

On June 8th, I was summoned for an interview at the prosecutor's office. After several hours of interrogation, the prosecutor informed me that there were no charges against me and that I could go. **Upon leaving the prosecutor's office, many police officers beat me and took me to a maximum-security prison, where I spent 611 days in extremely inhumane conditions.**

On November 7, 2021, elections were held and with **no real opposition**, Ortega was declared victorious with an overwhelming majority of the vote. These elections were widely declared as illegitimate and fraudulent by the international community.

As a political prisoner, I was deprived of due process rights. By publicly labelling presidential candidates, political opponents, civil society activists, journalists, and even religious leaders as "terrorists," "criminals," and "traitors", it violated our right to the presumption of innocence. It also violated my right to a fair and public trial when it held the trials of political prisoners in secret inside the prisons, and not in courts of law.

On the day I was captured, I endured a brutal beating just steps away from the Attorney General's office. **Despite being handcuffed and offering no resistance, several police officers attacked me, leaving me with lasting physical consequences. My suffering did not end there. Once inside "El Chipote", a maximum-security detention centre, I faced further cruelty. I endured relentless interrogations, always in handcuffs, and endured harsh isolation, including stretches in solitary confinement.**⁷¹

Before this experience, Maradiaga's wife had sought candidacy in a local election, and been suppressed. As Felix Maradiaga testified:

⁷⁰ Written submission, BJHRF.

⁷¹ Written submission, Felix Maradiaga.

In May 2016, my wife Berta Valle launched her candidacy to become a legislator for Managua, the country's primary electoral constituency, representing the opposition party "PLI" (Independent Liberal Party), the same opposition party to Ortega that I had supported in 2011. The announcement of my wife Berta generated significant public interest because it is rare for a young figure from independent journalism to enter political competition under such risky circumstances as the Ortega regime.

However, my wife's candidacy, which had generated enthusiasm, was short-lived. Using the Supreme Court under its complete control, the Daniel Ortega regime issued a judicial resolution in June 2016 that prevented the Independent Liberal Party from participating in the elections that year. All avenues for political opposition through free polls were closing.⁷²

Juan Sebastián Chamorro, a Nicaraguan economist, businessman and politician, submitted to the Inquiry examples of human rights violations in Nicaragua but also his own experience, including:

I witnessed the brutality of police forces through the medical files of those hospitals. This documentation was later provided, with the consent of relatives and patients, to human rights organisations. It was one of the first pieces of evidence international organisations gathered regarding the use of brutal force against protesters. I also witnessed first-hand the persecution against Church leaders. In particular, the standoff at the Saint Sebastian Basilica in Diriamba, on July 9th, 2018, in which Cardinal Brenes, Bishop Báez, Nuncio Sommertag and other priests were held hostage for hours. After a tense moment when paramilitary forces entered the Basilica and beat priests and journalists, the regime ordered the mob surrounding the church to leave and allowed us to evacuate.

After the suspension of the negotiations in 2019, I became the subject of police harassment. For 8 months, I was not able to leave the city of Managua and on several occasions, I was put under house arrest, without any formal accusation. I was beaten several times in public by police officials and I received multiple threats against my life.⁷³

Enrique Sáenz Navarrete, Nicaraguan economist and politician, who served as a deputy in the National Assembly of Nicaragua as a member of the Sandinista Renewal Movement party, submitted a statement to the Inquiry that in 2016, he was removed from the position along with all the opposition deputies who were elected in 2011 under the Independent Liberal Party Alliance, without any type of trial or possible cause mentioned. As he added:

That action, which went unnoticed by the international community, represented the main foundation for the implementation of Daniel Ortega's dictatorship. (...) I went into

⁷² Ibid.

⁷³ Written submission, Juan Sebastián Chamorro.

exile in August 2018, due to police harassment that made me fear for my freedom and the safety of my family. I have been exiled to Costa Rica since October 2018.⁷⁴

Enrique Sáenz Navarrete, was surprised when on 15 February 2023, the Ortega regime stripped 94 Nicaraguans of their nationality. His name was among the 94. He had not received any notification and there was no trial. According to court records, the allegation was filed on the morning of 15 February 2023, and in the afternoon of the same day - the decision was announced. As he pointed out, the sentence included the following penalties:

Stripping of Nicaraguan nationality. In Nicaragua, the Constitution expressly prohibits the removal of a national's nationality.

Confiscation of property, including bank accounts. In Nicaragua, the Constitution expressly prohibits the confiscation of property.

Cancellation of social security retirement pensions for people who were retired. There is no legal basis that allows the retirement pension to be cancelled.

Cancellation "in perpetuity" of our citizen rights. This sanction is not established in Nicaraguan legislation.

Declaration of fugitives from justice.⁷⁵

He referred to this treatment by the Ortega regime as imposing 'civil death' on those sentenced. In addition to being stripped of his nationality, Enrique Sáenz Navarrete was dispossessed of his family home. His bank accounts were frozen and the retirement pension he used to receive was annulled. The house of one of his children was also dispossessed.

In addition, it is important to note that Indigenous political representatives faced specific backlash. In October 2023, the founder of the Yatama Indigenous Party and deputy to the National Assembly, Brooklyn Rivera, was arrested. Indigenous legislator Nancy Henríquez was arrested two days later.⁷⁶ Yatama also announced the takeover of their party headquarters after the arrest of Riviera. The Institute on Race, Equality and Human Rights, submitted to the Inquiry that *'[Nancy Henríquez's] relatives have not been able to communicate with her for months. In addition, the Supreme Electoral Tribunal also arbitrarily cancelled the legal personality of the YATAMA party in October 2023.'*⁷⁷

On 1 March 2024, the daughter of Brooklyn Rivera testified before the IACHR regarding her father's arrest and disappearance:

On September 29, 2023, three National Police vans with around 60 police officers arrived at his house, forced their way into the doors without an arrest or search warrant,

⁷⁴ Written submission, Enrique Sáenz Navarrete.

⁷⁵ Ibid.

⁷⁶ See: <https://confidencial.digital/english/police-arrest-indigenous-legislator-nancy-henriquez-at-her-home/>.

⁷⁷ Written submission, Institute for Race, Equality and Human Rights.

and took him away. From unofficial information, but from the Miskitu community, I learned that he was taken to Managua by helicopter and since then his whereabouts have been unknown. Since that day we have tried to find him, but it has been impossible to obtain information about his situation. The police only say that this is in the hands of the presidency of the Republic. We searched the police stations, but they told us not to search anymore because if we kept doing it, they would arrest everyone who arrived.⁷⁸

Brooklyn Rivera and Nancy Henríquez continue to be detained and their whereabouts are unclear.

2.3. SILENCING RELIGIOUS LEADERS

Similar to the fate suffered by journalists, human rights defenders, scholars, and politicians, religious leaders were unable to escape the Ortega regime's attempts to silence institutions that could threaten its power grab. We have already referred to several cases of religious leaders, such as Father Silvio Fonseca, Bishop Isidro Mora, Father Pablo Villafranca, Bishop Rolando Álvarez (and also employees of Caritas). Further information follows:

Bianca Jagger submitted information to the Inquiry explaining that the Catholic Church was the last beacon of hope in Nicaragua. As the last remaining voice, religious leaders, by default, became the target of the regime:

According to Confidencial, since 2018 more than 200 clergy have been persecuted, exiled, or imprisoned by the Ortega-Murillo Regime. Since then, 97 priests have been forced to leave Nicaragua by banishment, exile, expulsion, or because they were prevented from re-entering the country after travelling abroad. It has been reported that the parish of Matagalpa alone has lost 40% of its priests. One only has to look at the 14th of January 2024 flight from Nicaragua to Rome to see how the Church in Nicaragua has been depleted. On the plane were two Bishops: Monsignor Rolando Alvarez Lagos, Bishop of the Diocese of Matagalpa, who was a captive of the regime for 527 days and Monsignor Isidoro Mora, Bishop of the Diocese of Siuna, 15 priests and two seminarians. They had all been incarcerated in La Modelo.

The religious persecution has now gone beyond the Catholic Church, affecting many evangelical denominations. The closure of Mountain Gateway, an American Christian Organisation, has been denounced by 57 US Congressman in a letter to the regime.⁷⁹

One religious leader testified to the Inquiry on the scale of the repression:

As a Church, we are living the worst moments of its entire history in Nicaragua, from its arrival, more than 500 years ago, to the present moment. (...) Never had our Mother, the Church, suffered so much abuse, so much harassment, and so much persecution, as during the current Dictatorship. The expulsion of the Apostolic Nuncio and

⁷⁸ Cited in: Written submission, Institute for Race, Equality and Human Rights.

⁷⁹ Written submission, BJHRF.

therefore, the breaking of diplomatic relations between the Holy See and Nicaragua, the expulsion of 19 sisters of Mother Teresa from Calcutta, the expulsion of the majority of religious Orders and Congregations, Josephines, Carmelites, Dominicans of the Anunciata, the Trappist mothers of San Pedro de Lóvago, whose convent is now a barrack, is a secret to no one. To list just a few: the expulsion of three bishops, the imprisonment, the expulsion and the prohibition of more than 120 religious priests and religious men from entering the country.⁸⁰

He further added that he was *'arrested, insulted, beaten, imprisoned for long months along with other priests who were accused of treason against the homeland.'*⁸¹

Other religious leaders whose situation received some media attention include Rev. José Alberto "Chepe" Idiaquez, S.J, president of the University of Central America (UCA), a Jesuit institution in Managua, Nicaragua. As reported, Fr. Chepe himself has been targeted with death threats:

With violence literally at the doorstep of the University and while facing death threats, Fr. Chepe stood with and for the people, sacrificing his own safety for the well-being and good of others. He is a beacon of hope, an instrument for peace, and a champion for the poor and persecuted. Seattle University is proud to be the UCA's partner in Jesuit education.⁸²

Commissioner Frank Wolf, Commissioner with USCIRF, testified to the Inquiry that:

We made this recommendation [for Nicaragua to be designated as a Country of Particular Concern] for three main reasons. First, the Nicaraguan government, led by President Daniel Ortega and Vice President Rosario Murillo, arbitrarily arrests, imprisons, and expels Catholic clergymen and laypeople. The most prominent example of this practice is Bishop Rolando Álvarez who was arrested for his human rights and religious freedom advocacy, sentenced to 26 years' imprisonment on spurious charges last February, and exiled to the Vatican last month. While USCIRF is heartened that Bishop Álvarez is no longer imprisoned for peacefully following his religious convictions, we are deeply distressed that his case is not an outlier in Nicaragua. Many other clergymen who have advocated for religious freedom, such as Bishop Isidro Mora, Father Oscar Benavidez, and Father Silvio Fonseca were similarly arrested, imprisoned, and exiled. In addition, laypeople such as journalist Victor Ticay, former Catholic university students Adela Tercero and Gabriela Morales, and former employees of the Catholic charity Caritas have been arrested and imprisoned on spurious charges on the basis of their faith.

⁸⁰ Written submission, anonymous 6/2.

⁸¹ Ibid.

⁸² See: <https://www.seattleu.edu/newsroom/stories/2019/seattle-university-honors-president-of-the-university-of-central-america-in-nicaragua.html>.

Second, the Nicaraguan government systematically and relentlessly targets religious organisations it views as opponents, particularly Catholic charitable and educational organisations. Over the past year, the government has cancelled the legal status of John Paul II University, Caritas Nicaragua, the Immaculate Conception Catholic University in Managua, and the Santa Luisa de Marillac Technical Institute, a school run by nuns. The thinly veiled pretext for these cancellations is that the organizations allegedly did not comply with bureaucratic regulations, or they “voluntarily” dissolved themselves. The government also cancelled the legal status and seized the property of the Jesuit-run University of Central America after baselessly alleging it was involved in terrorism.

Third, the government routinely harasses and intimidates worshippers. Reports from many of our government and civil society partners indicate that uniformed and plain clothes government agents conspicuously monitor religious services to intimidate clergy and parishioners. The government has also banned the public observance of Catholic traditions such as street processions during Holy Week. President Ortega and Vice President Murillo have used disparaging language to demonize the Catholic Church, including by referring to it as a “mafia” and to its priests as “representatives of the devil.”⁸³

Commissioner Frank Wolf further added that USCIRF maintains a Freedom of Religion or Belief Victims List to track cases of prisoners of conscience. The list contains some 53 individuals from Nicaragua.⁸⁴

3. METHODS OF SILENCING

This section explains the different methods which the Nicaraguan regime has deployed to silence any critics and force the nation into obedience. While many of these methods are used to target a specific group of people, they have a chilling effect on the whole population.

3.1. ‘LEGAL REFORMS’, LAWFARE AND SHAM TRIALS

Here we explain how the law is being weaponised by the Ortega regime to persecute people in Nicaragua who speak out against the Government.

‘Legal Reforms’

The Ortega-controlled National Assembly enacted legislation enabling the detaining of prisoners in pre-trial detention for prolonged periods of time and the handing down of harsh punishments. The legislative changes enacted in 2018, including to the Constitution, Criminal Code, and Criminal Procedure Code, were made under the guise of protecting national security. These laws are reminiscent of legislation introduced in other jurisdictions worldwide

⁸³ Oral hearing, Commissioner Frank Wolf.

⁸⁴ See the List here: <https://www.uscirf.gov/victim-search?search=nicaragua>.

to suppress free speech and dissent - straight from the dictator's playbook. Some of these laws are discussed below.

In July 2018, the National Assembly passed Law 977 'Against Money Laundering, Financing Terrorism, and Financing for the Proliferation of Weapons of Mass Destruction' (Anti-Money Laundering, Terrorism, and WMD Law), which included amendments to the Criminal Code.⁸⁵ The law has been used to, among others, criminalise NGOs.

In October 2020, the National Assembly passed Law 1040 on the Regulation of Foreign Agents (Foreign Agents Regulation Law) which forces organisations and individuals receiving funds from abroad to register with the Interior Ministry, report monthly income and spending, and explain the use.⁸⁶ The weaponisation of this law against civil society has also had a regional impact - with El Salvador attempting to introduce a similar law in 2021, in order to suppress free speech and independent journalism under the guise of protecting national security.⁸⁷

In October 2020, the National Assembly enacted Law 1042 on Special Cybercrimes (Special Cybercrimes Law), which criminalises the acts of using communications technology to promote or distribute false or misleading information that causes alarm, terror, or unease in the public.⁸⁸

In December 2020, the National Assembly passed Law 1055 'the Defense of the Rights of the People to Independence, Sovereignty, and Self-Determination for Peace (Sovereignty Law 1055) which prevented opposition political candidates (referred to as 'traitors') from participating in the November 2021 presidential election.⁸⁹

In January 2021, the National Assembly approved Law 1057, which changed Article 37 of the Constitution of Nicaragua to allow for a life sentence for anyone convicted of 'serious crimes when they occur in hateful, cruel, humiliating, and inhuman circumstances that cause shock, rejection, indignation, and disgust in the national community.'⁹⁰

⁸⁵ See: Ley No. 977, Ley Contra el Lavado de Activos, el Financiamiento al Terrorismo y el Financiamiento a la Proliferación de Armas de Destrucción Masiva. Available at: <https://www.poderjudicial.gob.ni/dgcip/pdf/Ley-977-Ley-contra-lavado-activos.pdf>.

⁸⁶ See: La Ley 1040, Ley de Regulación de Agentes Extranjeros. Available at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/9e314815a08d4a6206257265005d21f9/3306286cd4e82c5f06258607005fdf6b>.

⁸⁷ See: www.hrw.org/news/2021/11/12/el-salvador-shelve-foreign-agents-bill#:~:text=Under%20the%20bill%2C%20those%20registered,political%20stability%20of%20the%20country,%E2%80%9D.

⁸⁸ See: La Ley Especial de Ciberdelitos (Ley 1042). Available at: [http://legislacion.asamblea.gob.ni/normaweb.nsf/\(\\$All\)/803E7C7FBCF44D7706258611007C6D87](http://legislacion.asamblea.gob.ni/normaweb.nsf/($All)/803E7C7FBCF44D7706258611007C6D87).

⁸⁹ Available at: [http://legislacion.asamblea.gob.ni/SILEG/Iniciativas.nsf/C4084E2665A5610F06258642007E9C3F/\\$File/Ley%20N%C2%B0%201055,%20Ley%20Defensa%20de%20los%20Derechos%20del%20Pueblo.pdf?Open](http://legislacion.asamblea.gob.ni/SILEG/Iniciativas.nsf/C4084E2665A5610F06258642007E9C3F/$File/Ley%20N%C2%B0%201055,%20Ley%20Defensa%20de%20los%20Derechos%20del%20Pueblo.pdf?Open).

⁹⁰ See: Ley 1057 - Ley de Reforma Constitucional. Available at: [http://legislacion.asamblea.gob.ni/SILEG/Iniciativas.nsf/C4084E2665A5610F06258642007E9C3F/\\$File/Ley%20N%C2%B0%201055,%20Ley%20Defensa%20de%20los%20Derechos%20del%20Pueblo.pdf?Open](http://legislacion.asamblea.gob.ni/SILEG/Iniciativas.nsf/C4084E2665A5610F06258642007E9C3F/$File/Ley%20N%C2%B0%201055,%20Ley%20Defensa%20de%20los%20Derechos%20del%20Pueblo.pdf?Open).

On 9 February 2023, as Ortega exiled 222 individuals, the National Assembly introduced a reform to Article 21 of the Nicaraguan Constitution, enabling the exile and deprivation of nationality. The amendment states that ‘traitors to the homeland will lose the quality of Nicaraguan nationals’, which is contrary to Article 20 of the Constitution. The same day, the National Assembly also passed a Special Law Regulating the Loss of Nicaraguan Nationality (Law 1045 of 2023) (Loss of Nationality Law) to implement the constitutional reform, as needed for it to enter into force.⁹¹

Lawfare

The Ortega regime has been using a litany of legal provisions to target the opposition, weaponising legislation to target opposition figures. Among others, Article 410 of the Nicaraguan Criminal Code criminalises acts intended to undermine or fracture Nicaragua’s territorial integrity:

Whoever carries out acts that tend to undermine or fragment the territorial integrity of Nicaragua, to subject it in whole or in part to foreign domination, to affect its nature as a sovereign and independent State, will be punished with a penalty of ten to fifteen years of prison and absolute disqualification, for the same period, from holding public office, employment or office, except as provided in the Political Constitution of the Republic of Nicaragua.⁹²

These provisions have been used, among others, in the cases of six presidential candidates: Arturo Cruz, Juan Sebastián Chamorro, Félix Maradiaga, Medardo Mairena, Miguel Mora, and Noel Vidaurre.

Law 1055 on the Defense of the Rights of the People, which provides for committing the crime of ‘conspiracy to undermine national integrity’ has been weaponised against journalists, resulting in the detention of Miguel Mora, Miguel Mendoza, Juan Lorenzo Holmann Chamorro and Victor Ticay. Victor Ticay was also found guilty of the crime of ‘propagation of false news.’⁹³

Article 412 criminalises provocation, proposition and conspiracy:

Provocation, proposition and conspiracy to commit any of the acts provided for in this Chapter will be punished with a penalty whose maximum limit will be the lower end of the respective penalty and whose minimum limit will be half of it.

Article 412 and 410 have been used against Pedro Joaquín Mena Amador, a rural community leader, and Maria del Socorro Oviedo Delgado, a human rights lawyer and defender.⁹⁴

⁹¹ See <https://noticias.asamblea.gob.ni/asamblea-nacional-aprueba-ley-de-reforma-al-articulo-21-de-la-constitucion-politica-de-la-republica-de-nicaragua/>.

⁹² See: www.wipo.int/wipolex/en/text/478153.

⁹³ See: www.oas.org/en/iachr/reports/pdfs/2023/Cierre_espacio_civico_Nicaragua_ENG.pdf.

⁹⁴ See for example: <https://havanatimes.org/features/the-dangerous-job-of-defending-ortegas-political-prisoners/>.

The Ortega regime has also been using the Special Cybercrimes Law to target religious leaders, including Bishop Álvarez, but also lawyers and human rights defenders, including lawyer Maria del Socorro Oviedo Delgado, Edgard Francisco Parrales Castillo, a former priest and Nicaraguan Ambassador to the OAS.

Sham trials

As mentioned by several witnesses (above), many have been subjected to sham trials. The Inquiry did not manage to engage with Bishop Alvarez. However, one submission comments on the lawfare to which he was subjected:

The Ortega government illegally detained him and sentenced him to prison with egregious violations of due process of law, by convicting him in absentia, with no access to the charges and evidence leveraged against him, and without the presence of his attorney to act on his defence at all.

In the mock criminal process that followed against the bishop, he was prevented from appointing his attorney until late in the proceedings, and once he was able to appoint counsel of his choice, she was not allowed access to the case file and the accusation. To this day the specific facts and charges brought against the bishop have not been disclosed, even to himself. The meagre case file documents that were released paint a clear picture of the bishop being investigated for his homilies delivered in churches and that was posted online. (...)

The defence of the bishop in the criminal proceedings was constantly obstructed and directly impeded by court officials. On February 10, 2023, the bishop was condemned in a sham oral trial at which he was not present and at which he, therefore, could not testify nor cross-examine witnesses. The decision condemning the bishop has not been published or made known by him or his lawyer. Álvarez was convicted for “undermining national integrity” and “propagation of false news through information and communication technologies.”⁹⁵

3.2. PHYSICAL VIOLENCE

The use of violence employed by authorities to quell protests is well documented. This violence has resulted in the death of many protestors, and the wounding of many more.

Bianca Jagger told the Inquiry about her experience of joining a peaceful protest in Nicaragua in 2018:

On 26 May 2018, I travelled to Nicaragua to join Erika Guevarra Rosas to support the launch of an Amnesty International report. The title of the report summed up the government’s policy in three words: “Shoot To Kill.” On 30 May 2018, I joined the largest peaceful demonstration in recorded history in Managua. Hundreds of thousands participated in the march to lend support to the mothers whose children had been murdered in the previous month by the Ortega-Murillo regime. **During the march, I**

⁹⁵ Written submission, ADF International.

witnessed the regime's policy "Shoot to Kill" in action, the very policy I came to denounce. The panic that swept the crowds was horrific; **the regime's snipers opened fire at the participants**. Everyone was trying to escape, including myself. Fr. Jose Idiaquez saved many lives when he opened the doors of the UCA to those fleeing the gunshots. On that day in Nicaragua, 19 people were killed and 189 were wounded.⁹⁶

On 30 May 2018, a peaceful protest was met by the authorities with force and violence, resulting in at least fifteen individuals killed. One anonymous source testified to the inquiry that:

we were not able to reach the end of the march because the police started shooting the protesters, killing some. Luckily, the people I went with and I had a break stop to take some air and rest. A few minutes after we stopped, we started seeing people coming back running and very scared. A security guard from a business told us that someone on the radio told him that police were attacking the people in the march.⁹⁷

Felix Maradiaga also testified to the violence peaceful protestors were met with, and the personal assassination attempts he suffered:

The political and social crisis unleashed in April, and the extreme violence of the Ortega regime and paramilitary groups resulted in unprecedented extrajudicial killings of hundreds of protesting individuals. It also meant that the threats I had been receiving for years due to my work as an academic whistleblower materialised with a series of attempts on my life, which, unbelievably, I managed to survive. After these incidents, I had to leave my home in Managua and hide my family, including my daughter Alejandra, five years old at the time, far away from Managua. I remained in the capital city, trying to contribute to a peaceful resolution to the crisis caused by the regime.⁹⁸

Speaking to the assassination attempts, he further testified:

The two shots that were fired against me in front of my office in Managua on May 28th were the first assassination attempt. Although I never obtained concrete evidence of the origin of the shots, there are enough reasons to suspect that these actions came from agents or individuals associated with the Ortega regime. Furthermore, the Ortega regime's false accusations about the funding for my think tank (IEEPP) were direct forms of criminalisation and stigmatisation. The GIEI experts documented these threats and explained that the authorities never presented evidence of these absurd accusations.⁹⁹

⁹⁶ Written submission, BJHRF.

⁹⁷ Written submission, anonymous 14/8.

⁹⁸ Written submission, Felix Maradiaga.

⁹⁹ Ibid.

Following this, a case was filed before the IACHR requesting urgent precautionary measures. On 12 July 2018, they ruled:

The Commission condemns that attack and urges the Nicaraguan State to immediately adopt all measures necessary to protect the life and personal integrity of Mr. Maradiaga. The IACHR stresses that the State has an obligation to thoroughly investigate such attacks and to prosecute and punish the people responsible for them. 'The Commission is concerned about the failure to effectively enforce precautionary measures. The Nicaraguan State must urgently take measures to prevent attacks against beneficiaries and ensure that events like those reported against Mr Maradiaga do not happen again,' said Commissioner Francisco Eguiguren, the IACHR's Rapporteur on Human Rights Defenders. 'It is essential for the Nicaraguan State to guarantee that human rights defenders can pursue their efforts to denounce and document human rights violations freely and safely. It is largely up to those defenders to ensure that victims of human rights violations can be heard and have access to justice,' said Commissioner Eguiguren.¹⁰⁰

Others testified to the specific threats of violence which women and girls, and minority indigenous communities face, with the Institute for Race, Equality and Human Rights submitting that:

On the Caribbean Coast, girls and women are frequently disappeared for a short or medium term to be abused and raped within the framework of illegal settlements on indigenous ancestral lands by those known as "settlers".¹⁰¹

3.3. ARBITRARY ARRESTS AND DETENTION

In April 2023, the IACHR reported that they had documented at least 2,090 arbitrary arrests up until this date.¹⁰² In particular, they highlighted in a 2020 report, that children, adolescents and women have been uniquely affected by the mass detentions carried out. At the time, the IACHR recorded at least 65 adolescent students held in detention centres meant to house only men over the age of 18.¹⁰³

Several witnesses testified to the arbitrary arrests and detention to which they were subjected. Juan Sebastián Chamorro told the Inquiry:

¹⁰⁰ Ibid.

¹⁰¹ Written submission, the Institute for Race, Equality and Human Rights. Furthermore, in relation to the situation in the Caribbean Coast, Prof. Julie Cupples indicated that 'The government has been encouraging illegal settlers from the Pacific to settle on Indigenous ancestral lands where they remove native forests with chain saws and bring in cattle. When the Indigenous (Miskito and Maynanga) owners try to defend themselves from these illegal incursions, they are met with violence. The government then turns a blind eye to this violence. This is a violation of the autonomy laws passed and supposedly supported by the Sandinista government.'

¹⁰² See: www.oas.org/es/CIDH/jsForm/?File=/es/cidh/prensa/comunicados/2023/067.asp.

¹⁰³ See: www.oas.org/en/iachr/reports/pdfs/Nicaragua-PPL-en.pdf.

In April 2021, I inscribed my intention to run for President of Nicaragua, as part of the Ciudadanos Por La Libertad party. This was the ultimate reason behind my arbitrary detention on June 8th, 2021.

I was kidnapped by the police from my house at night, without an arrest or search warrant. I was captured in front of my wife and daughter, who left the country afterwards. My family did not know anything about me until I was able to see my sister on August 30th, almost 3 months after my capture. (...)

I did not have a chance to talk to my lawyer until the trial began in February 2022. The trial violated due process in many legal aspects. I was condemned for treason to 13 years in prison in a fake trial. After almost two years behind bars, I was banished from my country and stripped of my nationality.

During almost all of my imprisonment, I was not able to have direct communication with my immediate family, my wife and daughter. We were allowed a 10-minute phone call on January 1st, 2023, just a month before our release.¹⁰⁴

A witness, who testified before the Inquiry from exile, explained how he was taken by the authorities:

I was coming back [home]. Outside my house, I saw a number of police cars. I was confused. I did not expect the police to come for me, but my neighbours said that the police came asking for me in the morning. While I was chatting to my neighbours, I realised that more police cars were arriving. Police officers were walking towards us. Over 30 police officers were there and they were accompanied by a number of paramilitary people. Paramilitary in Nicaragua are people who have been incarcerated for theft, drugs, and gun violence, but now they have been released and are used as government protection. They wear black clothing, they cover their faces, and they are armed. They all were walking towards me. There were even drones in the area so I was really confused and taken aback because that was all for one person. Why are they using this display of officers and people in this aggressive way?

(...) They were at the door saying 'You're under arrest.' And I said: 'What's the reason? Why am I being arrested? Where is the order from a judge?' They responded with swear words, and they said: 'We don't need a judge to take you.' (...). I had the opportunity to run away at that time to hide in a neighbour's house. But I thought at the time, this was not right. Also a few days prior to this, I had already been made aware of a situation where a French family was arrested, because the authorities could not find the person that they were after. Instead of arresting the person that they were trying to find, they arrested the wife and the daughters. I thought this was going to be a risky situation. I didn't run away, even though I could have.¹⁰⁵

¹⁰⁴ Written submission, Juan Sebastián Chamorro.

¹⁰⁵ Oral submission, anonymous 6/2.

The witness was then detained and recalled his experiences:

They tore my shirt and made me go out almost naked into the street, arriving at El Chipote prison. Among more than 40 people, they forced me to strip naked; and the handcuffs they put on me made me end up in jail with my arms raw.

With my hypertension and diabetes, they locked me in a punishment cell, called "La Chiquita", because it was so narrow, and had to remain standing for nights and entire days. This caused horrible inflammation in my legs and feet, to the point that I had to be barefoot for several days.¹⁰⁶

Omar Granados testified to the inquiry about the experience of his father-in-law:

[My father-in-law], a brave man who had openly expressed his opposition to the government, became the target of an operation that revealed the cruelty and abuse of power that characterised the administration at that time.

The quiet community of El Cua in Jinotega witnessed a dark episode when security forces and government sympathisers stormed Ingris's father's house. The Ortega's police arrived at two in the morning to arrest him. According to the authorities, the reason for the intrusion was to search for weapons and drugs, but their true intention seemed to be to intimidate and silence the opposition.

Failing to find what they were looking for, the police resorted to abusive tactics. They beat Petronilo Picado Garcia, and falsely accused him of possessing 88 grams of marijuana, despite being a man who worked in coffee cultivation and never used drugs or alcohol. The Ortega's police illegally detained him, and he was immediately transferred to the Jinotega Department penitentiary without providing any information to his relatives about the reason for his legal detention.

His detention marked the beginning of a judicial ordeal that first took him to El Cua and then to the city of Jinotega, where he faced an unfair and pressure-filled legal process.

Throughout three trials, Ingris's father was subjected to relentless coercion to plead guilty, as a way to pressure him; if he did not plead guilty, his children would end up in jail, as a last resort to justify his detention. The Nicaraguan injustice machine ultimately sentenced him to three years in prison in a Matagalpa penitentiary.¹⁰⁷

While on 9 February 2023, the government released 222 political prisoners and expelled them to the United States, as of December 2023, over 100 people perceived as government critics remained in detention, according to a Nicaraguan rights group, most charged with 'undermining national integrity' and 'propagating fake news.'¹⁰⁸ As explained by Juanita Goebertus Estrada, 'Victims of arbitrary arrest have included an increasing number of

¹⁰⁶ Ibid.

¹⁰⁷ Written submission, Omar Granados.

¹⁰⁸ Oral hearing, Juanita Goebertus Estrada.

members of the Catholic church, including 31 priests and other members of the church, who the government released in two groups in October 2023 and January 2024 and sent to the Vatican.¹⁰⁹

3.4. TORTURE AND ILL-TREATMENT IN DETENTION

Juanita Goebertus Estrada testified before the Inquiry that:

[Human Rights Watch] documented that many detainees were subject to serious abuses, in some cases amounting to torture—including **electric shocks, severe beatings, nail removal, asphyxiation, and rape**. Some were reportedly denied medical care in public health centres, and doctors who provided care said they suffered retaliation.¹¹⁰

A witness testifying anonymously, because of the risks faced by their family members in Nicaragua, told the Inquiry about his time in detention:

There were a lot of sad and painful moments. One of the things that happened was that they would stagger the interrogations throughout the night, so you would not be able to sleep at night. They would start asking you questions at six and midnight and at 2 AM. Then at 4 AM. They would get you out of the cell to conduct interrogations like that while you were handcuffed at all times. We were always handcuffed. These interrogations would take place in extremely cold rooms. On one occasion, I asked for water. They refused to give me water. There was a lot of psychological torture. They wanted to force me to say things that were not true. (...) They were really angry when you wouldn't say what they wanted you to say. There were other interrogations where they suggested that we were a criminal gang, that we were protecting criminal gangs. There were loads of questions about running money laundering activities. Because I refused to agree to these accusations, they were trying to force me to say these things, and the violence and the hostility would increase, they would act as if they were going to hit me. When I was denying these allegations, they would get really violent. I spent many days without proper sleep because of these interrogations. There was also a recording of barking dogs that they would play throughout the night. I never knew if the dogs were real or not. It sounded as if it was a recording that they would keep loud barking dogs throughout the night. There was a lot of humiliation, psychological abuse.¹¹¹

Felix Maradiaga, in his submission regarding his imprisonment, testified that:

During my imprisonment, I was deprived of basic rights. I was denied access to reading materials, including a Bible, and prohibited from writing or receiving letters from my loved ones. The conditions were grim, with limited food and water, and stretches of up

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Oral submission, anonymous 6/2.

to 90 days without a visit from my family. Despite these hardships, my spirit remained unbroken, buoyed by the unwavering support of my wife, Berta Valle, who tirelessly led international efforts to improve my conditions. While 2022 brought a slight improvement in food provisions, the other forms of deprivation and inhumane treatment persisted, a stark reminder of the ongoing struggle for justice and freedom.¹¹²

Further, he added that:

As political prisoners, we faced harsh conditions in Nicaraguan detention centres and prisons. Some of us were held in the infamous El Chipote, a police detention centre with a dark history of being a place of torture and mistreatment during the Somoza dictatorship. New installations opened in 2019 and that is where most of us spent months incommunicado, in small and dark cells, without adequate medical care and insufficient food which made them lose significant amounts of weight and endure frequent interrogations.

One of the most horrific aspects of detention was the lack of communication with our families, who were not allowed visits in regular periods as established by the law. Phone calls and letters were not allowed, which for me was an additional form of deprivation as my wife, my mother and my daughter remained in the United States. Reading and writing material were also not permitted, despite my request for a Bible for spiritual solace in times of hardship – even that request was denied by the authorities.

The regime made it a practice to hold incommunicado the recently detained prisoners and did not disclose information about their whereabouts to their families. For example, I spent 84 days without talking to anyone, in solitary confinement. My family did not know where I was located or whether I was alive, making it an enforced disappearance. The same was true for other prisoners who spent the first weeks of their detention being incommunicado. Also, the regime made it a practice to repress female political prisoners by placing them in solitary confinement for excessive periods of time.¹¹³

In 2021, the IACHR ordered his release from prison.¹¹⁴ In 2022, the UN Working Group on Arbitrary Detention declared his detention arbitrary.¹¹⁵ He was not released until 2023, with the release of 222 political prisoners and deportation to the US.

A witness, whose identity is anonymised due to the serious risks faced by their family, testified before the inquiry about their experiences in detention:

¹¹² Written submission, Felix Maradiaga.

¹¹³ Ibid.

¹¹⁴ See: https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2021/156.asp.

¹¹⁵ See: https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/regularsession/session51/2022-10-14/A_HRC_51_47_AdvanceEditedVersion.docx.

The lack of medical attention has left harsh consequences, in my case, a heart attack in prison. Both during the night, before going to sleep, and in the early morning, upon waking up, we were made to listen, for hours, to the barking of a large number of dogs, which we never knew if they were real or if they were recordings played to torture or intimidate us. Many other prisoners spent years totally incommunicado; Many of them had to go on hunger strikes to be allowed to see their children for a few minutes, as in the case of former inmate Tamara Dávila; many others were physically tortured, others were not even allowed to attend the funerals of their dead mothers, as in the case of Yubrank Suazo. Others were terribly tortured, like Medardo Mairena; Others were anally penetrated with rifles, like the case of Marcos Novoa, and others were left with such serious consequences that they are crippled, with incurable kidney diseases, like Donald Alvarenga, or died before completing the first anniversary of being released from prison, like Michael Healy.¹¹⁶

Juan Sebastián Chamorro submitted to the Inquiry:

As a political prisoner, I suffered arbitrary detention, inhumane treatment, threats, and constant interrogations. In addition to the initial disappearance, I was not able to see my relatives for more than three months on one further occasion, and regular visits were six to seven weeks apart on average. At the maximum-security prison El Chipote, we were not allowed to speak or read, and many prison mates suffered prolonged solitary confinement. We were under constant light 24 hours a day, denied time with fresh air, and had poor sanitary installations. We were denied religious services, even though there were six priests with us, a deacon and 3 seminarians.

Prison has left deep scars on us, both physical and emotional. Among the effects that I have noticed in my fellow prison mates, include general health problems, lack of sleep, drug dependency, low self-esteem, insecurity, and depression. All these issues are complicated by family separation, as many of my fellow prison mates have not been able to reunite with their families. Last January, my cellmate Michael Antony Healy, an American Nicaragua of Irish descent, died suddenly of a heart attack, provoked surely by years of harassment, confiscation, jail, and banishment. I also know of other cases of former prisoners suffering from chronic diseases triggered by their time in prison. Particularly relevant was the case of General (Ret.) Hugo Torres, who died under custody while at El Chipote with us.¹¹⁷

The Institute for Race, Equality and Human Rights considered the cases of journalists Miguel Mora Barberena and Lucía Pineda Ubau, who were arbitrarily detained in 2018, in their submission:

They were imprisoned in “El Chipote”, in inhumane conditions, in dark cells, without electricity and without an appropriate place to relieve themselves. During their

¹¹⁶ Written submission, anonymous 6/2.

¹¹⁷ Written submission, Juan Sebastián Chamorro.

deprivation of liberty, they were subjected to constant interrogations, without having the right to communicate with their lawyers or family members... [Lucia] confirmed that while she was in “El Chipote” she was tortured by the police Karla Patricia Calderón, who subjected her to countless interrogations set to the song “El Comandante se queda.”¹¹⁸

Following the release, Miguel Mora was subsequently detained again in 2021. In their submission, they described the experience in ‘El Chipote’:

After being arbitrarily detained, he was transferred to a punishment cell of the Judicial Assistance Directorate in the “Evaristo Vásquez” Police Complex, known as El Chipote. He remained absolutely incommunicado for 80 days. The first cell, where he remained for approximately 5 weeks, had a size of 2x2 square metres and was completely armoured with metal doors. Subsequently, he was transferred to a barred cell with artificial light that sometimes remained on all day and other times remained off all day.¹¹⁹

They also considered the case of the young student leader Kevin Roberto Solís:

On September 23, 2018, he was severely beaten at the time of being detained, subsequently, the torture continued at various times; In addition, he was kept in isolation cells for prolonged periods of time. These acts continued during his detention in 2020, on this occasion he was also held in maximum security cells, kept in isolation and subjected to constant beatings and a series of punishments, such as, for example, not being able to see his family members or even his lawyer. According to Kevin, and also recorded in the psychological expert report, due to the torture suffered on several occasions he had suicidal ideas and his current psychological effects are severe, for example, he suffers from anxiety, anguish, helplessness, frustration, nightmares, and anger, among others. emotions that allow us to conclude the existence of post-traumatic stress disorder.¹²⁰

The IACHR makes note of the international legal obligations of Nicaragua regarding the deprivation of liberty and is governed by the principle of exceptionality where their detention may only be a measure of last resort.¹²¹

Omar Granados also testified to the experience of his wife when visiting her father in prison:

During the visit to her daughter Ingris, she was forced to undress in front of officials, all men, who mocked her and compelled her to do squats in front of them while naked.

¹¹⁸ Written submission, the Institute for Race, Equality and Human Rights.

¹¹⁹ Ibid.

¹²⁰ Ibid.

¹²¹ See, www.oas.org/en/iachr/reports/pdfs/Nicaragua-PPL-en.pdf.

Otherwise, they wouldn't allow her to see her father or give him a bit of bread, sugar, and cigarettes.¹²²

Since then, the family has fled and applied for asylum in the UK. However, as a result of his father being compelled to plead guilty due to coercion tactics, their claim for asylum was denied in January 2024. They testified:

On January 25, 2024, we received the letter where the asylum application was rejected. One of the main reasons for the rejection is because of the document where Ingris Picado's father is sentenced to prison. It says that he pleaded guilty, but that's not true; the prison system officials, judges, lawyers, and prosecutors are supporters of the government of Daniel Ortega. Inside the prison, he was beaten many times to make him plead guilty, and if he didn't, more members of the family would also end up in prison.¹²³

Concerning the particular impacts faced by women in detention, the IACHR documented the case of 19-year-old Maria Alejandra Castillo Garcia, who,

on September 23, 2018, was reportedly deprived of her liberty in El Chipote. Maria Alejandra Castillo was approximately three months pregnant and suffering from bleeding and fever, despite which she did not receive the necessary proper medical treatment for her condition as a pregnant woman. On October 21 of that year, she was released after more than 20 days of bleeding without medical attention, which led to a miscarriage.¹²⁴

Further to the testimony of Omar Grenadas, the IACHR has also documented experiences of sexual violence suffered by women at the time of arrest and in detention. This includes several corroborated cases of women being forced to squat naked in front of guards, threatened with sexual violence in order to compel women to testify or incriminate others, and rape. One witness testified that:

They took her to another room with a glass window. They made her take off her clothes and told her that she had to do 30 squats. She explained that she had a fracture and couldn't. They didn't care. They told her that she was a terrorist and to start doing squats. They hit her. When she couldn't stand it any more she fell. The female officer (...) called others to come and pick her up. (...) It was then that they called other male officers, who were wearing black balaclavas. They told her to bend over, and that they were going to check her, and he put his fingers into her vagina; another male officer came and covered her mouth. There were three men and a female officer (*sic*).¹²⁵

¹²² Written submission, Omar Granados.

¹²³ Ibid.

¹²⁴ See: www.oas.org/en/iachr/reports/pdfs/Nicaragua-PPL-en.pdf.

¹²⁵ Ibid.

3.5. EXILE AND STATELESSNESS

With the onslaught of repression faced by those defending human rights in Nicaragua or dissenting against the regime, it is estimated that around 15% of Nicaraguans have been forced into exile, and over 300 individuals have been made stateless.¹²⁶

On 9 February 2023, 222 people, all political prisoners, were deported to the United States and also stripped of their Nicaraguan nationality. Among those released from prison were 12 people linked to the media, including Miguel Mendoza a sports reporter and blogger, Juan Lorenzo Holmann, general manager of the daily newspaper La Prensa, and Miguel Mora, founder of the cable news channel 100 % Noticias, but also Felix Maradiaga, a human rights defender and opposition activist and other high profile critics of the regime. All of them had been convicted without any evidence for alleged crimes of ‘conspiracy against national sovereignty’, ‘money laundering’, and ‘spreading fake news.’ They were held in isolation in prison for up to 600 days.

On 15 February 2023, 94 Nicaraguans were stripped of their citizenship by the Ortega regime, in an act that was unconstitutional and in violation of international law.¹²⁷ The 94 included, among others, 11 journalists, two of Nicaragua’s most famous writers Gioconda Belli and Sergio Ramírez, and directors of exiled media outlets such as the Confidencial, Aníbal Toruño from Radio Darío, and Luis Galeano from Café con Voz, among others.

Felix Maradiaga, eventually forced into exile from Nicaragua testified:

The harassment and threats that I had been receiving for years, along with beatings, death threats, and even being kidnapped for a few hours by a paramilitary group, as happened in the mentioned incident in the city of Matagalpa, were aimed at forcing me into exile. I have always believed that dictatorships prefer their primary opponents to leave the country voluntarily. However, for a year, I refused to leave Nicaragua even though it was physically impossible to live in my home by June [2018].¹²⁸

A UK resident, who had been living in Nicaragua for nearly 29 years, testified to the inquiry how from 2021, foreign residents were routinely called in for questioning, and threatened not to criticise the government, or they would have their papers withdrawn. After he was personally accused of having criticised the Government for their handling of the COVID-19 crisis on Facebook, and whilst having an application for renewal of residency permits in 2023, the witness travelled over the border and had his papers removed. He was reportedly told to leave in order to avoid fines, and subsequently was denied return travel three weeks later.¹²⁹

¹²⁶ See: www.cbsnews.com/miami/news/some-nicaraguans-not-allowed-to-return-to-homeland/.

¹²⁷ See Appendix A.

¹²⁸ Written submission, Felix Maradiaga.

¹²⁹ Written submission, anonymous 1/8/9.

Many witnesses testified that they could not return to Nicaragua as this would mean detention, torture, and even death:

Knowing this whole situation, we cannot return to the country, since our parents have been informed and threatened, any attempt to return to the country the lives of my wife, son and mine will be in danger, since we will be detained or imprisoned. In the worst-case scenario, they are kidnapped and murdered, just like the many cases of people missing and murdered for not being in favour of the government.¹³⁰

Gonzalo Carrión Maradiaga testified that:

We were forced to leave Nicaragua and since the end of December, we went into exile in Costa Rica, a country where we founded the Nicaragua Never Again Human Rights Collective, whose work has focused on documentation of complaints about the human rights violations that persist in Nicaragua, as well as the international denunciation of the serious abuse of power by the Ortega Murillo regime, mainly responsible for the entire policy of persecution and extermination of the various forms of exercise and expression of rights.

We have documented about one thousand one hundred (1100) personal stories and stories of entire families, from our exile, each of these complaints tells stories of suffering and pain produced by the prevailing terror.¹³¹

He further added that:

The documented stories refer to victims of human rights violations perpetrated by state and parastatal agents, from which 386 cases of attacks against freedom of organisation, demonstration and concentration, 180 cases of torture, 96 cases of attacks on political activists, 78 cases of attacks on the peasantry, 136 cases of attacks against journalists and freedom of expression and other violations.

This Collective has issued 25 thematic reports, of which 11 reports on torture, cruel, inhuman and degrading treatment, 3 reports on forced displacement and human mobility, 2 reports on freedom of expression, 2 reports on historical memory, and 1 report on population stand out. peasant, as well as reports on considerations regarding repressive laws, among others; In addition, 10 information bulletins have been issued on human rights violations, 5 thematic update documents (freedom of expression, religion, torture, etc.) and 2 bulletins on freedom of religion. I invite you to consult our website which contains information related to our work.

Likewise, this Collective has presented 48 requests for precautionary measures before the IACHR and 2 requests for expansion in the protection of other victims, of which 27 concern political prisoners or people released from prison, 6 in favour of human rights defenders or local leaders, 3 in favour of journalists, among others, as well as 2

¹³⁰ Written submission, anonymous 1/21/16.

¹³¹ Written submission, Gonzalo Carrión Maradiaga.

provisional measures in favour of 10 people released from prison and 1 current political prisoner. This group is processing 5 petitions, 4 before the IACHR and 1 before the Inter-American Court, including the femicide of Dina Carrión, denationalisation against 39 people, 2 in favour of 3 illegally cancelled organisations and 1 for the unpunished murder of Gerald Vásquez.¹³²

In cases of foreign nationals who participated in protests, even where they held residency or dual citizenship, the Government attempted to locate them in order to intimidate them, which often led to their detention, questioning, or deportation from the country.¹³³

The removal of citizenship is contrary to the 1961 Convention on the Reduction of Statelessness, to which Nicaragua is a State party.¹³⁴ In addition, Nicaragua is in violation of Article 19 of the American Declaration of the Rights and Duties of Man, and Article 20 of the American Convention on Human Rights, both of which protect the right to nationality.

3.6. TRANSNATIONAL REPRESSION

As the Inquiry repeatedly heard, those who fled Nicaragua cannot stay in touch with their family members who were left behind as this poses a serious threat to them. As one of the witnesses, who asked to remain anonymous because of these risks, told the Inquiry, *'we cannot maintain much contact with our families in our country since their phones have been tapped, limiting our ability to communicate with them, to prevent them from receiving retaliation or attempts on their lives.'*¹³⁵ This is corroborated by reports that in September 2023, the family of Javier Alvarez Zamora - forced into exile - was arrested after his unsuccessful arrest earlier in the year.¹³⁶

The United States State Department has recorded the harassment and political oppression faced by Nicaraguans exiled in Costa Rica, by intelligence officials within the Nicaraguan embassy, as well as by 'paramilitary.'¹³⁷ Indeed, the 2020 Cybercrimes Law - as explored earlier - establishes that the Government may utilise extradition to pursue citizens living abroad committing alleged cybercrimes, highlighting a clear intention to target the free expression of opposition figures in exile.¹³⁸

¹³² Ibid.

¹³³ Written submission, anonymous 14/8.

¹³⁴ Oral hearing, Jan Michael Simon.

¹³⁵ Written submission, anonymous 1/21/16.

¹³⁶ See: www.state.gov/reports/2022-country-reports-on-human-rights-practices/nicaragua.

¹³⁷ Ibid.

¹³⁸ Ibid.

The State Department also monitors the misuse of Interpol Red Notices and efforts to refuse consular services to exiled Nicaraguans to prevent their return to the country.¹³⁹

4. NICARAGUA, RUSSIA AND CHINA

The relationship between Nicaragua, China and Russia is growing, as Nicaragua's other diplomatic relationships have stalled in response to the regime's violations of human rights.

Dr Ryan Berg, director of the Americas Program and head of the Future of Venezuela Initiative at the Center for Strategic and International Studies, testified before the Inquiry about how Nicaragua is investing in trade with China:

Around 60% of Nicaragua's exports go to the United States. The regime is desperately trying to reorient the direction of some of their trade flows, which doesn't happen overnight. It is really difficult to reverse decades of trade flows in a north-south direction, as opposed to east-west. And furthermore, much of what Nicaragua would be exporting has difficulty getting to China, not just because of transportation and logistics, but also because of the time, the lag for things to get there. Bananas, beef, coffee, and the kinds of raw materials that Nicaragua exports are at risk of spoiling by the time it makes a three-week cargo container journey to China. So right now, the regime is trying to build further transportation links, and faster networks to China in order to reorient some of that trade away from the United States and thus, reduce one of its greatest vulnerabilities in terms of the trade space.¹⁴⁰

Commenting on the relationship with Russia, he indicated that:

Russia seeks to sustain state-to-state security relationships with Cuba, Nicaragua, and Venezuela, and to a lesser extent with Bolivia and Peru—all leading purchasers of Russian military equipment. (...) Supporting Russia's military-industrial complex is a top domestic concern for President Vladimir Putin, especially as US and European Union sanctions threaten to devastate the future of Russia's defence industrial base. In Nicaragua, for instance, Russia has supplied 90% of the country's arms imports.¹⁴¹

Robert Muggah, a principal at the SecDev Group and co-founder of the Igarapé Institute commented that:

Russia has supported Ortega as its relationship with the United States has soured. Since 2016, Russia has supplied Nicaragua with military equipment and satellite monitoring infrastructure. The two countries also have a decade-long agreement for Russian forces to train in Nicaragua. [In 2022], a Nicaraguan presidential decree granted Russian troops, military aircraft, and naval vessels temporary access to

¹³⁹ Ibid.

¹⁴⁰ Oral hearing, Dr Ryan Berg.

¹⁴¹ See: <https://www.atlanticcouncil.org/in-depth-research-reports/issue-brief/china-and-russia-engage-latin-america-and-the-caribbean-differently-both-threaten-us-interests/>.

Nicaragua. The United States is thus worried that Russia, in conjunction with military operatives from Cuba, Bolivia, and Venezuela, is expanding surveillance in the region.¹⁴²

He further commented on Nicaragua's relationship with China stating:

Nicaragua's alignment with Russia coincides with the restoration of diplomatic relations between Managua and Beijing after a 20-year hiatus. In late 2021, Nicaragua affirmed the One China principle and cut official relations with Taiwan, swiftly replacing Taiwanese investment in Nicaragua with funds from China's Belt and Road Initiative and new Global Development Initiative. Observers speculate that this new closeness may revive construction of the long-delayed Nicaraguan Canal across the Central American isthmus—a possible Panama Canal rival proposed by Ortega in 2013. In 2013, the Nicaraguan government awarded a Chinese firm a 100-year concession to build the controversial project. As China expands its reach in Central America, its media described Nicaragua's rejection of Taiwan a "powerful rebuff to the U.S. administration's chess game with China."

China's growing influence in Nicaragua is not just political and economic; it is also digital. Although the backbone of the country's internet is still dominated by U.S.-based Cisco, there is a growing presence of Huawei routers in the country. As in many countries, internet-connected surveillance cameras in Nicaragua are overwhelmingly supplied by Chinese vendors, notably Hikvision and Dahua.¹⁴³

These developing relationships are highly concerning considering the scale and nature of human rights violations the three countries stand accused of, and show further attempts by the Nicaraguan regime to align themselves with such countries on the global stage.

5. CLAIMS OF PROPAGANDA

The Inquiry received a few submissions suggesting that those arrested, detained, and exiled were punished because of their violation of domestic laws. One of the submissions indicated that:

the Catholic Church, some minority evangelical denominations, and private companies [were] getting involved in partisan politics, conspired, supported and participated in the marches of the coup plotters, in the violent and criminal failed coup attempt in Nicaragua in 2018, in an attempt to overthrow the legitimately elected Nicaraguan government, and used their role in society to try to turn the people against the government. The hierarchy of the Catholic Church in Nicaragua was the main instigator of the failed coup, fomenting violence and death.¹⁴⁴

¹⁴² See: <https://foreignpolicy.com/2023/03/09/nicaragua-ortega-crackdown-surveillance-authoritarianism-russia-opposition-dissent/>.

¹⁴³ Ibid.

¹⁴⁴ Written submission, Tomás Valdez Rodríguez.

Their claims on the legitimacy of the elections and the protests are in strong contrast to the overwhelming evidence received by the Inquiry.

Further, political activists and human rights defenders also testified to the smear of their reputation as part of propaganda proliferated by the regime. Felix Maradiaga testified:

The Ortega regime also financed smear campaigns on social media but also initiated the production and broadcast of professionally crafted “reports” or mini-documentaries on national television in Nicaragua. These television and online materials became increasingly frequent and continued to be aired until at least 2021. These productions were executed with expert guidance, as the manipulation of images, distortion of dates, and misrepresentation of my message were all directed towards undermining decades of my work in nonviolence and democracy.

However, these images on social media and television have inflicted further substantial harm, beyond the emotional impact, by inciting extreme hatred among extremist and fanatic Sandinista groups. I have no doubt that these messages, which have, in many cases, gone viral on Sandinista TV channels, are crafted with the intent of motivating an extremist Sandinista fanatic to consider ending my life should I return to Nicaragua.¹⁴⁵

Indeed, in a 2023 report, the IACHR concluded that:

The closure of civic space in Nicaragua has not only been the result of the gradual and sustained application of repression and censorship strategies by the Government but also of the implementation of a media apparatus of government propaganda that seeks to misinform and delegitimise critical opinions and information.¹⁴⁶

This assertion was also informed by a 2021 elimination of over a thousand social media accounts by Meta linked to the Nicaraguan Government, in one of the ‘most cross-government troll operations that they have managed to dismantle to date’, as an example of a troll farm, a tool often deployed in other regimes worldwide.¹⁴⁷

¹⁴⁵ Written submission, Felix Maradiaga.

¹⁴⁶ See: www.oas.org/en/iachr/reports/pdfs/2023/Cierre_espacio_civico_Nicaragua_ENG.pdf.

¹⁴⁷ Ibid.

III. UK FOREIGN POLICY TOWARDS NICARAGUA

The human rights situation in Nicaragua has been raised by many Parliamentarians, including members of the Inquiry.¹⁴⁸

The UK Government has been critical of the situation of human rights in Nicaragua.

Among others, on 6 March 2024, during the interactive dialogue with the UN Special Rapporteur on Freedom of Religion and Belief, during the 55th session of the Human Rights Council, the UK specifically raised the situation of the Roman Catholic Church in Nicaragua.¹⁴⁹

On 1 March 2024, the UK made a statement during the interactive dialogue on the report of the UN Group of Human Rights Experts on Nicaragua raising:

The suppression of human rights in Nicaragua has been relentless. The climate of repression has led to shrinking space for freedom of expression and independent media, as well as restrictions on the right to peaceful assembly.

Reports of arbitrary detention of political leaders and members of the Catholic Church by the Nicaraguan authorities represent an unacceptable degradation of citizens' civil and political rights. We further condemn the attacks against freedom of religion and belief.

The release in January of Bishop Álvarez and 18 other clergy from their arbitrary detention is welcomed. However, we are concerned that the Nicaraguan government has expelled these individuals from Nicaragua. The UK calls on President Ortega to fully respect the human rights of all its citizens and for the immediate and unconditional release of all political prisoners in Nicaragua.

We would welcome the views of the experts on how we can continue to urge the Nicaraguan government to re-establish democracy and the rule of law in the country.¹⁵⁰

In December 2023, during the interactive dialogue on the interim oral update by the High Commissioner on the situation of human rights in Nicaragua, the UK raised several concerns including:

A climate of repression pervades Nicaragua. The systematic use by the Nicaraguan authorities of threats and coercion, arbitrary detention and imprisonment, and the forced exile and stripping of the nationality of opponents is becoming all too familiar.

¹⁴⁸ Furthermore, the Scottish Government has also issued statements condemning the human rights violations in Nicaragua.

¹⁴⁹ See: <https://www.gov.uk/government/news/un-human-right-council-55-statement-on-freedom-of-religion-and-belief>.

¹⁵⁰ See: <https://www.gov.uk/government/news/un-human-rights-council-55-uk-statement-on-nicaragua>.

The absence of an independent judiciary and the passing of legislation designed to mute dissent has resulted in further erosion of the freedoms of association and expression.

Moreover, the unjustified decision of 10 May 2023 by Nicaragua's National Assembly to rescind the legal status of the Nicaraguan Red Cross Association and confiscate its assets is deeply regrettable. This closure is part of a wider, coordinated set of actions by the Nicaraguan authorities directed against civil society organisations, and educational and charitable institutions; more than 3,000 institutions have been closed since 2018.¹⁵¹

Furthermore, Fiona Bruce MP, as the chair of the International Religious Freedom or Belief Alliance (IRFBA), issued two statements on Nicaragua, including a statement on the situation of Bishop Álvarez.¹⁵²

The UK Government further issued several guidelines and advisories concerning Nicaragua.

Travel

The UK does not have a resident British diplomatic mission in Nicaragua, and as such, the FCDO cannot give in-person consular assistance in the country. The FCDO official travel advice says that 'no travel can be guaranteed safe.'¹⁵³

Trade

In the 2023 Overseas Business Risk, the UK Government raised its concerns about human rights violations in the country, including:

According to the 2021 Foreign and Commonwealth Office's Human Rights and Democracy Report, the Nicaraguan government continued to restrict civic space, limit freedom of expression, and restrict access to justice. The report noted that there were significant limitations on political opposition, media, and civil society, as well as ongoing concerns about electoral integrity. The report also raised concerns about alleged human rights violations, including cases of torture, extrajudicial killings, and enforced disappearances.

The UK government urged the Nicaraguan authorities to take steps to respect and protect human rights and to ensure that all allegations of human rights violations are thoroughly investigated and prosecuted.

In September 2021, the International Labour Organisation's Convention on Domestic Workers remained ratified by Nicaragua but despite this, child labour remains a

¹⁵¹ See: <https://www.gov.uk/government/news/human-rights-council-intersessional-update-on-nicaragua-uk-statement>.

¹⁵² See: <https://www.state.gov/irfba-chairs-statement-on-nicaragua-religious-prisoner-of-conscience-bishop-rolando-alvarez/>. See also: <https://www.state.gov/irfba-chair-and-vice-chairs-statement-on-nicaragua/>.

¹⁵³ See: <https://www.gov.uk/foreign-travel-advice/nicaragua>.

concern in Nicaragua with local organizations estimating over 400,000 children working though there have been no recent official reports on the matter. Also, concerns about freedom of expression and association persist, with reports of attacks on government critics, journalists, and civic society activists.

According to the 2021 World Bank's Doing Business Index, Nicaragua's ranking for ease of doing business improved to 119 out of 180 countries from 127 in 2011. In the Latin American and Caribbean region, the country ranks 8th out of 32 countries and 3rd in the Central American region, with a score of 63.1 out of 100.¹⁵⁴

While the document raises some concerns, it does not provide practical guidance to businesses. Professor Julie Cupples submitted to the Inquiry that:

I am concerned that the information provided by the British government to potential British visitors and investors is wholly inadequate and misleading and does not capture the extent of political violence that has been more than adequately documented by the Interdisciplinary Group of Independent Experts convened by the Organization of American States (OAS) and the Inter-American Commission on Human Rights (IACHR), Amnesty International and most recently the latest report by the Group of Experts of the UN High Commission for Human Rights and published on 29 February 2024. These findings are not reflected in the FCDO advice to visitors to Nicaragua and in the advice provided by the Department for Business and Trade to potential investors. I note that the UK government has also signed the UK-Central America association agreement which includes Nicaragua in spite of being aware of widespread human rights violations. Eventually, Nicaragua will require a truth commission so that all those deprived of their statehood and their livelihoods can receive just compensation and it would be good if the UK government was part of the international community pressure necessary to get such an entity in place.¹⁵⁵

Sanctions

Since 2020, the UK has designated 14 Nicaraguan politicians and senior officials including Vice President Murillo, two Directors General of the National Police and the President of the National Assembly under our Nicaragua sanctions regime for violating human rights, repressing civil society and undermining democratic principles and institutions.¹⁵⁶

According to the sanctions designation for Rosario Murillo, there are reasonable grounds to suspect that:

In her position as Vice President, Murillo had authority over and knowledge of: the state-backed repression of political demonstrations and activities; repression of

¹⁵⁴ See: <https://www.gov.uk/government/publications/overseas-business-risk-nicaragua/overseas-business-risk-nicaragua>.

¹⁵⁵ Written submission, Julie Cupples.

¹⁵⁶ See: <https://assets.publishing.service.gov.uk/media/621902da8fa8f5490e284dd7/Nicaragua.pdf>.

civilians including through her leadership of the Sandinista Youth Wing; and the discrediting of independent journalists and the exclusion of candidates from the electoral process. She is therefore responsible for undermining democracy and the rule of law, repression of civil society and the democratic opposition, and for human rights violations.¹⁵⁷

However, within the list, several individuals bearing responsibility for some of the most egregious violations are not included. Manuel Orozco testified to the Inquiry that the possible influence exerted by sanctions over human rights violations is incomplete as they do not yet cover the full range of individuals holding power within the regime, and implicated by carrying out or being complicit in human rights violations.¹⁵⁸

¹⁵⁷ Ibid.

¹⁵⁸ Written submission, Manuel Orozco.

IV. RESPONSES

Considering the very serious human rights situation in Nicaragua, it is crucial to explore the available options for engagements, including utilising legal avenues for justice and accountability.

1. LEGAL

1.1. DOMESTIC IN NICARAGUA

The information collated by the Inquiry suggests that victims of human rights violations do not have any avenues for legal recourse in Nicaragua. Indeed, legal avenues are being used to further suppress individuals and their human rights.

1.2. INTERNATIONAL

While the options for domestic legal recourse are limited, there are some international legal opportunities that have been already taken and can be considered.

1.2.1. THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

The IACHR is a principal and autonomous organ of the Organisation of American States (OAS). It is composed of seven independent members who serve in a personal capacity. The work of the IACHR includes the individual petition system, monitoring of the human rights situation in the Member States, and the attention devoted to priority thematic areas.

The IACHR continues to monitor the situation and raise individual cases of political prisoners.

1.2.2. THE INTER-AMERICAN COURT

The Inter-American Court is one of three regional human rights tribunals in the world (next to the European Court of Human Rights and the African Court of Human and Peoples' Rights.) It is an autonomous legal institution and its objectives are to interpret and apply the American Convention. The Inter-American Court resolves contentious cases and supervises judgments, and it can order provisional measures.

Currently, there are four pending cases at the merits stage before the Court. Among them is the case of Gadea Mantilla vs. Nicaragua - concerning the alleged violation of the political rights and judicial protection of Fabio Gadea Mantilla in the framework of his political participation as a presidential candidate in the electoral process of 2011.¹⁵⁹

The Court imposed provisional measures (under articles 63.2 of the American Convention on Human Rights) in several cases. For example in February 2024, the Court ordered provisional measures in favour of Brooklyn Rivera Bryan and Nancy Elizabeth Henríquez James, main and alternate regional deputies in the National Assembly of Nicaragua and members of the YATAMA organisation and political party of the Caribbean Coast of Nicaragua. The request also refers to their family units. The order states that it:

¹⁵⁹ See: https://corteidh.or.cr/docs/tramite/gadea_mantilla.pdf.

- Granted provisional measures to Mr. Brooklyn Rivera Bryan and Mrs. Nancy Elizabeth Henríquez, who are deprived of liberty and require the State to immediately proceed with their release and adopt the necessary measures to effectively protect their life, personal integrity, health and personal freedom.
- Require the State to officially report the place and conditions of detention in which Brooklyn Rivera Bryan and Nancy Elizabeth Henríquez James would be found after their arrest.
- Require the State, while the administrative procedures necessary for the immediate release of the two people identified in operative paragraph 1 of this Resolution are carried out, to proceed to guarantee dignified treatment through immediate access to health services, medicines and adequate food, as well as facilitate your contact with family members and lawyers. This order cannot be used to delay the release of beneficiaries.
- Require the State to adopt the necessary measures that allow the beneficiaries to continue exercising their political rights as indigenous regional deputies, principal and substitute, as appropriate, of the National Assembly of Nicaragua.
- Grant provisional measures to the family units of the people indicated in operative paragraph 1 so that their rights to life, personal integrity and freedom are guaranteed.
- Require the State to refrain from prosecuting and exercising reprisals against the beneficiaries, family members and representatives because of the information that has been provided to the Court through this request for provisional measures and future information that they present to it. Court.
- Require the State to report to the Inter-American Court of Human Rights, no later than February 23, 2024, about the situation of the people identified in operative paragraph 1 and the measures adopted to comply with this decision. Subsequently, the State must present a periodic report each month regarding the measures adopted in accordance with this decision.
- Require the representatives of the beneficiaries of the provisional measures and the Inter-American Commission to present their observations within a period of one and two weeks, respectively, from the notification of the report provided by the State.
- Order that the Secretariat of the Court notify this Resolution to the State, the Inter-American Commission and the representatives of the beneficiaries.¹⁶⁰

¹⁶⁰ See: https://www.corteidh.or.cr/medidas_provisionales.cfm?lang=en.

1.2.3. THE ICJ

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations that adjudicates general disputes between States and gives advisory opinions on international legal issues.

The ICJ could and should be used to raise human rights violations in Nicaragua. For example, States could issue proceedings against Nicaragua under Article 14 of the 1961 Convention on the Reduction of Statelessness for its deprivation of Nicaraguan citizenship from political prisoners.¹⁶¹

Furthermore, Nicaragua ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2005 and is obliged to take effective measures to eradicate torture and ill-treatment. Nicaragua further ratified the Optional Protocol of the Convention against Torture in 2009. By doing so, Nicaragua agreed to establish an independent National Preventive Mechanism and to support the Subcommittee on Prevention of Torture country visit to monitor its detention facilities. States could bring proceedings before ICJ for Nicaragua's failure to comply with the treaty.

In March 2024, Nicaragua brought proceedings against Germany under the Genocide Convention.¹⁶² As such, it is clear that Nicaragua recognises the jurisdiction of the ICJ.

1.2.4. THE ICC

Nicaragua is not a party to the Rome Statute and as such, the ICC does not have territorial jurisdiction over the situation in the country. However, it is worth exploring whether it would be possible to engage the ICC mirroring the approach taken in the case of Bangladesh/Myanmar.

In the case of Bangladesh/Myanmar, the then Prosecutor of the ICC, Fatou Bensouda, sought authorisation from the Court's Judges to open an investigation into alleged crimes within the jurisdiction of the Court in which at least one element occurred on the territory of Bangladesh – a State Party to the Rome Statute – and within the context of violence in Rakhine State on the territory of Myanmar, as well as any other crimes which are sufficiently linked to these events.¹⁶³

In the case of Nicaragua, the question would be whether the ICC could engage where the violations against Nicaraguans were perpetrated within the territory of Nicaragua (non-state party) forcing them to flee to Costa Rica (state party to the Rome Statute). According to reports, thousands of Nicaraguans were forced to leave Nicaragua - some due to the dire

¹⁶¹ Oral hearing, Jan Michael Simon.

¹⁶² See: <https://www.icj-cij.org/node/203822>.

¹⁶³ See: <https://www.icc-cpi.int/news/icc-prosecutor-fatou-bensouda-requests-judicial-authorisation-commence-investigation-situation>.

human rights situation and some due to the economic situation (although both may be linked as well).

2. SANCTIONS

While the UK imposed some targeted sanctions, a number of perpetrators of serious human rights violations were not included. The UK should considering aligning its sanctions designations with the US to sanctions, among others:

- **Ernesto Leonel Rodriguez Mejia** - a presiding magistrate of the Managua District Court of Appeals, who on 15 February 2023, announced the court's decision to strip 94 Nicaraguan citizens of their nationality, declaring them traitors.
- **Nadia Camila Tardencilla Rodriguez** - a judge in the Second District Trial Court of Managua, who on 10 February 2023, issued a judicial order that stripped Catholic Bishop Rolando Jose Alvarez Lagos of his Nicaraguan citizenship and convicted him for treason, undermining national integrity and authority, aggravated obstruction, and spreading false news.
- **Octavio Ernesto Roths Schuh Andino** - elected president magistrate of the Court of Appeals of Managua, who on 10 February 2023 announced the court's decision to deport 222 Nicaraguan individuals, declaring them traitors to the nation.
- **Wendy Carolina Morales Urbina** - Attorney General of the Republic of Nicaragua, who enabled the Ortega-Murillo regime to steal real property formerly belonging to independent media outlets, international organisations, and political prisoners. She also carried out the dispossession of all properties of the 222 political prisoners who were banished from Nicaragua.
- **Gloria Maria Saavedra Corrales** - judge in the tenth criminal district court of Managua, undermined democratic processes or institutions by using her position and authority within the Nicaraguan judicial system to knowingly facilitate a coordinated campaign to suppress dissent by confiscating property from the Jesuit Central American University without a legal basis, in order to install a regime-friendly administration.
- **Maribel del Socorro Duriez González** - president of Nicaragua's National Council for Evaluation and Accreditation, undermined democratic processes or institutions by taking part in a coordinated campaign to suppress dissent by confiscating property from the government's political opponents, including the Central American University and at least 25 other private Nicaraguan universities, without a legal basis, in order to install a regimefriendly administration.

- **Ramona Rodriguez Perez** - president of Nicaragua's National Council of Universities, undermined democratic processes or institutions by taking part in a coordinated campaign to suppress dissent by confiscating property from the government's political opponents, including Central American University and at least 25 other private Nicaraguan universities, without a legal basis, in order to install a regime-friendly administrations.
- **Alejandro Enrique Genet Cruz** - rector of Casimiro Sotelo University (formerly Central American University), undermined democratic processes or institutions by taking part in a coordinated campaign to retaliate against critics of the Ortega-Murillo regime and to suppress dissent by using his position to create policies that punish Casimiro Sotelo University faculty and students who do not take part in political activities for Ortega's Sandinista National Liberation Front political party.
- **Arling Patricia Alonso Gomez** - the current first vice president of the National Assembly, undermined democratic processes or institutions by taking part in coordinated government retaliation to strip Nicaraguan citizenship from political opponents and critics of the Ortega-Murillo regime.
- **Gladis de los Angeles Baez** - the current second vice president of the National Assembly, undermined democratic processes or institutions by taking part in coordinated government retaliation to strip Nicaraguan citizenship from political opponents and critics of the Ortega-Murillo regime.
- **Loria Raquel Dixon Brautigam** - the current first secretary of the National Assembly, undermined democratic processes or institutions by taking part in coordinated government retaliation to strip Nicaraguan citizenship from political opponents and critics of the Ortega-Murillo regime.
- **Alejandro Mejia Ferreti** - the current third secretary of the National Assembly, undermined democratic processes and institutions by taking part in coordinated government retaliation to strip Nicaraguan citizenship from political opponents and critics of the Ortega-Murillo regime.
- **Rosa Argentina Solís Davila** - an appeals court judge in the Criminal Appeals Court of Managua, undermined democratic processes or institutions by using the Appeals Court to facilitate a coordinated government campaign to retaliate against critics of the OrtegaMurillo regime and suppress dissent by stripping Nicaraguan citizenship from political opponents and critics of the Ortega-Murillo regime.
- **Angela Davila Navarrete** - a current appeals court judge in the Criminal Appeals Court of Managua, undermined democratic processes or institutions by using the appeals court to facilitate a coordinated government campaign to retaliate against critics of the OrtegaMurillo regime and suppress dissent by stripping

Nicaraguan citizenship from political opponents and critics of the Ortega-Murillo regime.

- **Denis Membreño Rivas** - the current director of the Financial Analysis Unit (UAF), the Nicaraguan government's financial crimes unit, undermined democratic processes or institutions by taking part in a coordinated campaign to suppress dissent, using his position to facilitate asset seizures from 94 political dissidents in exile and 222 former political prisoners, without any legal basis.
- **Aldo Martín Sáenz Ulloa** - a current sub-director of the UAF, undermined democratic processes or institutions by taking part in a coordinated campaign to retaliate against critics of the Ortega-Murillo regime and to suppress dissent, using his position to facilitate asset seizures from 94 political dissidents in exile and 222 former political prisoners, without any legal basis.
- **Valeria Maritza Halleslevens Centeno** - the current director of the National Directorate of Property Registrar Offices (DNR), undermined democratic processes or institutions by using her position and influence to facilitate a coordinated government effort to confiscate the property of political opponents.
- **Eduardo Celestino Ortega Roa** - a current deputy director of the DNR, undermined democratic processes or institutions by using his position and influence to facilitate a coordinated government effort to confiscate the property of political opponents.
- **Marta Mayela Díaz Ortiz** - a current vice superintendent of banks and other financial institutions (SIBOIF), undermined democratic processes or institutions by using SIBOIF to provide the financial information of political dissidents in exile and former political prisoners to officials in the Nicaraguan judiciary as part of a coordinated government effort to suppress dissent by seizing the assets of political adversaries without a legal basis.
- **Sagrario de Fatima Benavides Lanuza** - a vice director of the Nicaraguan Social Security Institute, undermined democratic processes or institutions by using her position and influence to facilitate a coordinated, politically motivated government campaign to terminate and seize pensions from political adversaries without a legal basis.

3. ASSISTANCE

One of the witnesses, an asylum seeker in the UK, submitted to the Inquiry that he is in touch with a group of Nicaraguan refugees in the UK. As he commented on their situation:

Like the majority, they participated in the 2018 protests in Nicaragua and have been harassed, threatened, and under constant siege. I support them here in establishing a

process of testifying before human rights organisations so that they can provide them with a certification of their complaint and the human rights violations by the State of Nicaragua. That document is presented to the Home Office as evidence. Because the Home Office has denied asylum to around 10 Nicaraguans here in the UK. Due to lack of evidence.

Evidently, asylum seekers have to live under pressure thinking that if the Home Office rejects their asylum, returning to Nicaragua will cost them jail or disappearance. Victims or survivors of repression in Nicaragua must confront previous fears and current fears with the Home Office.¹⁶⁴

The UK Government must ensure that the Home Office is provided with adequate information about the risks faced in Nicaragua and the issue of wrongful detentions, forced confessions etc are adequately reflected in the guidance.

¹⁶⁴ Written submission, anonymous 10/26.

V. CONCLUSIONS AND RECOMMENDATIONS

The overwhelming evidence received by the Inquiry paints a very disturbing picture of the situation in Nicaragua. This evidence is consistent with the extensive concerns raised by regional and international bodies since 2018.

While the UK Government has been critical of the atrocities perpetrated, it can and should consider more proactive actions to address the atrocities, including those identified below.

Recommendations for the UK Government (and other States):

Awareness raising and diplomacy

- Support the initiative, launched in July 2023 by 179 Nicaraguan victims and 29 human rights organisations, to create a ‘Group of Friends of the Nicaraguan People’, that should conduct high-level meetings to design, in consultation with Nicaraguan civil society groups and other relevant stakeholders, a strategy to curb abuses, provide pathways to accountability, and push for free and fair elections;
- Work with other States to raise the situation of human rights in the country in every regional and international forum;
- Work with other States to strengthen diplomacy on the topic at international venues;
- Brief the Home Office in relation to the situation of human rights in Nicaragua to be considered when reviewing asylum applications;
- Provide emergency visas for journalists and human rights defenders at risk of persecution;
- Provide assistance to Nicaraguan refugees in the UK through protection from the risks of transnational repression (including the possibility of family reunification where family members remain threatened), and the provision of psychological assistance for those who have been victims of torture;
- Review its guidance and policies regarding travel, business, etc. to ensure that they are fully reflective of the risks of human rights violations in Nicaragua;
- Hold formal hearings of both the House of Commons Foreign Affairs Committee and the House of Lords Select Committee on Defence and International Relations to consider the situation in Nicaragua and the findings of this inquiry; and ask the FCDO Minister for Central America, David Rutley MP, to respond to this report and its findings.

Justice and accountability

- Promote efforts to conduct criminal investigations against senior officials in the Nicaraguan government under the principle of universal jurisdiction;
- Explore the options of bringing proceedings, unilaterally or jointly with other countries, against Nicaragua before the ICJ;

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- Impose Magnitsky sanctions against all those responsible for human rights violations in Nicaragua, and encourage the uptake of these sanctions in coordination with other states, including the US;

Assistance

- Provide support and technical assistance for persons who have been victims of serious human rights violations in Nicaragua, including, those seeking redress;
- Provide support to independent journalists and media outlets conducting investigative journalism to ensure comprehensive coverage of the situation in Nicaragua;

Further research needed:

- Examine the ties between Nicaragua, Russia and China, and identify the risks involved, including the implications of foreign investment into human rights violations in the country;
- Examine the implications for regional stability of the mass displacement of 1 million Nicaraguans to Costa Rica and in some cases to the Mexican border and the USA.

APPENDIX A: THE 94

1. Javier Ramón Meléndez Quiñonez
2. Salvador Stadthagen Icaza
3. Rosalía del Carmen Gutiérrez Huete de Miller
4. Roberto Bendaña McEwan
5. Eddy Acevedo Sánchez
6. Alexa Zamora Arana
7. Camilo de Castro Belli
8. Roberto José Soza Téllez
9. Francisco José Somarriba Mendoza
10. Vicente Martínez Bermúdez
11. Claudia León York
12. Luis Fernando Carrión Cruz
13. Desiree Guadalupe Elizondo Cabrera
14. Héctor Ernesto Mairena
15. Jesús Adolfo Téfel Amador
16. Ana Otilia Quirós Viquez
17. Cristian Ernesto Medina Sandino
18. Sofia Isabel Montenegro Alarcón
19. Azahalia Isabel Solís Román
20. Erick Mauricio Díaz Fernández
21. Juan Enrique Sáenz Navarrete
22. Edipcia Juliana Dubón Castro
23. Dulce María Porras Aguilar
24. Silvia Nadine Gutiérrez Pinto
25. Vilma Núñez Ruiz
26. Uriel de Jesús Pineda Quinteros
27. Guillermo Gonzalo Carrión Maradiaga
28. Luciano Rafael García Mejía
29. Álvaro José Leiva Sánchez

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30. Juan Francisco Zeledón Montenegro
31. Haydée Isabel Castillo Flores
32. Mónica Salvadora Baltodano Marcenaro
33. Mónica Augusta López Baltodano
34. Julio César López Campos
35. Francisca Ramirez Torrez
36. Humberto Antonio Belli Pereira
37. Gioconda Maria Belli Pereira
38. Elvira Auxiliadora Cuadra Lira
39. Federico José Sacasa Patiño
40. Mangel José Hernández Rivera Carmella
41. Maria Rogers Ambur / Kitty Monterrey
42. Irlanda Ondina Jérez Barrera
43. Eliseo Fabio Núñez Morales
44. Norman José Caldera Cardenal
45. Gerardo José Baltodano Cantarero
46. Álvaro Jesús Somoza Urcuyo
47. Silvio José Báez Ortega
48. Berta Adelma Valle Otero
49. Rafael Enrique Solís Cerda
50. Carlos Adolfo Zeledón Montenegro
51. Arturo Mcfields Yescas
52. Yader Alfonso Morazán Flores
53. Ligia Ivette Gómez
54. Issa Moisés Hassan Morales
55. Jimmy Alfredo Guevara Hernández
56. Pablo Manuel Martínez Ruiz
57. Joao Ismael Maldonado Bermúdez
58. Marvin Ariel Aguirre Tinoco
59. Josué Santiago Alvarez Rojas
60. Ricardo Javier Conrado Mojica

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61. Roberto José Álvarez Rojas
62. Lenin Rojas Medrano
63. Rodolfo Antonio Rojas Arbuola
64. Oscar Ricardo Rojas Campos
65. Pio Humberto Arellano Molina
66. Cristian Josué Mendoza Fernández
67. Bosco René Martínez Martínez
68. Héctor Armando Morales
69. Cristian Rodrigo Fajardo Caballero
70. Zayda Yunieth Hernández
71. Harving Salvador Padilla
72. Edwin Heriberto Román Calderón
73. Gema Serrano Morales
74. Luis Manuel Chavarría Galeano
75. Jennifer Tatiana Ortiz Castillo
76. Lucía Agustina Pineda Ubau
77. Patricia Amanda Orozco Andrade
78. Wilfredo Ernesto Miranda Aburto
79. Manuel Díaz Morales
80. Alvaro Valentin Navarro
81. José David Quintana García
82. Aníbal Enrique Toruño Jirón
83. Santiago Antonio Aburto Ovando
84. Mario Medal
85. Roberto Danilo Samcam Ruiz
86. Pablo Emilio Cuevas Mendoza
87. Juan Carlos Gutiérrez Soto
88. Danny Ariel Ramírez Ayerdis
89. Jorge Leonel Mairena Sánchez
90. Sergio Ramírez Mercado
91. Carlos Fernando Chamorro Barrios

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92. Amaru Ruiz Alemán

93. Mardel Salvador Orozco Ramirez

94. Uriel Antonio Vallejo

APPENDIX B: THE 222

1. Yader de los Ángeles Parajón Gutiérrez
2. Yaser Muhamar Vado González
3. Yubrank Miguel Suazo Herrera
4. Ana Margarita Vijil Gurdián
5. Dora María Téllez Argüello
6. Lesther Lenin Alemán Alfaro
7. María Fernanda Ernestina Flores Lanzas
8. Miguel de los Ángeles Mora Barberena
9. Suyen Barahona Cuán
10. Miguel Ángel Mendoza Urbina
11. Horacio Francisco Xavier Aguirre Sacasa
12. José Antonio Peraza Collado
13. Medardo Mairena Sequeira
14. Pedro Joaquín Mena Amador
15. Freddy Alberto Navas López
16. Víctor Hugo Tinoco Fonseca
17. Max Isaac Jerez Meza
18. María del Socorro Oviedo Delgado
19. Luis Alberto Rivas Anduray
20. Mauricio José Díaz Dávila
21. Jaime José Arellano Arana
22. Noel José Vidaurre Argüello
23. Irving Isidro Larios Sánchez
24. Roger Abel Reyes Barrera
25. José Alejandro Quintanilla Hernández
26. Arturo José Cruz Sequeira
27. Félix Alejandro Maradiaga Blandón
28. Violeta Mercedes Granera Padilla
29. Juan Sebastián Chamorro García

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30. José Adán Aguerri Chamorro
31. José Bernard Pallais Arana
32. Daysi Tamara Dávila Rivas
33. Cristiana María Chamorro Barrios
34. Walter Antonio Gómez Silva
35. Marco Antonio Fletes Casco
36. Pedro Salvador Vázquez Cortedano
37. Pedro Joaquín Chamorro Barrios
38. Edgard Francisco Parrales Castillo
39. María Esther González Vega
40. Cinthia Samantha Padilla Jirón
41. Larry Reynaldo Méndez Duarte
42. Harry Bayardo Chávez Cerda
43. Yoel Ibzan Sandino Ibarra
44. Rusia Evelyn Pinto Centeno
45. Alejandra de los Ángeles Pérez González
46. Juan Lorenzo Jerónimo Emiliano Holmann Chamorro
47. Michael Edwin Anthony Healy Lacayo
48. Álvaro Javier Vargas Duarte
49. Oscar Danilo Benavides Dávila
50. Félix Ernesto Roiz Sotomayor
51. Jeannine Horvilleur Cuadra
52. Ana Carolina Álvarez Horvilleur
53. Hugo Ramón Rodríguez Flores
54. Gabriel Alfonso López del Carmen
55. Mildred Giselle Rayos Ramírez
56. Miguel Alejandro Flores Matus
57. Hilfrem René Saborío Rocha
58. Ramiro Reynaldo Tijerino Chávez
59. Sadiel Antonio Eugarríos Cano
60. José Luís Díaz Cruz

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61. Sergio José Cárdenas Flores
62. Melkin Antonio Centeno Sequeira
63. Raúl Antonio Vega González
64. Darwin Esteyling Leyva Mendoza
65. Adolfo Román García Ramírez
66. Mario José Sánchez Vega
67. Carlos Alberto Lam Rodríguez
68. Fredys Antonio Laguna Serrado
69. José David Gallo Torrez
70. Allan Sebastián Bermúdez Corea
71. Sandra del Carmen Acevedo Díaz
72. Karla Patricia Vega Canales
73. José Noel Talavera Arauz
74. Nicolás Palacios Ortiz
75. Danilo Adolfo Dumas Blanco
76. Nora Indiana Cuevas Abaunza
77. Arnulfo José Somarriba Aguilar
78. Freddy Martín Porras García
79. José Javier Álvarez Arguello
80. Benito Enrique Martínez
81. Javiera Auxiliadora Jiménez Ortega
82. Guisella Elizabeth Ortega Cerón
83. Heydi Walkiria Ortega
84. Francisco Hernaldo Vásquez Delgado
85. Oscar René Antonio Vargas Escobar
86. Maybel Marginny Aguilar Mojica
87. Moisés Abraham Astorga Sáenz
88. María José Camacho Chévez
89. Hans Camacho Chévez
90. Manuel Antonio Obando Cortedano
91. Wilberto Artola Mejía

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92. Martha del Socorro Ubilla
93. Thelma Estela Vanegas García
94. Javier Enrique Espinoza Rodríguez
95. José Ricardo Muñoz López
96. Donald Margarito Alvarenga Mendoza
97. Esterlin Soriano Gonzalez
98. Francisco José López González
99. Abel Daniel Brenes Sánchez
100. Santos Camilo Bellorin Lira
101. Alexis Peralta Espinoza
102. Nidia Lorena Barbosa Castillo
103. María José Aragón Abarca
104. Moisés David Salinas Paz
105. Rubén Araldo Manzanarez Mena
106. Armando Robles Alanís
107. Dominga de la Cruz Morales Jiménez
108. Isaac Isaías Martínez Rivas
109. María José Martínez Salas
110. Esteban Paniagua Espinoza
111. Luis Erinaldo Obando Granja
112. Franklin José Quintero Armas
113. Michael David Caballero Ayala
114. Edgar Antonio Ayala Valle
115. Ángel de Jesús Sequeira Zamora
116. José Gadiel Sequeira Zamora
117. José Ángel González Escobar
118. Jaime de Jesús Romero Carrión
119. Marvin Antonio Rodríguez López
120. Denis Ramón Chavarría Zapata
121. Max Alfredo Silva Rivas
122. Wilfredo Alejandro Brenes Domínguez

THE NICARAGUA INQUIRY

123. Marlon Antonio Narváez Franklin
124. Edwin Antonio Hernández Figueroa
125. Bryan Kessler Alemán
126. Óscar Enrique Amador Acuña
127. Yorlin Efraín Robles Carballo
128. Augusto Ezequiel Calero Lazo
129. Jader Modesto Téllez
130. Juan Agustín Barrilla Chavarría
131. Julio César Pineda Isaguirre
132. Pablo Emilio Téllez
133. Danny Ángeles García González
134. Nilson José Membreño
135. Osman Marcell Aguilar Rodríguez
136. Bernardo José Ramos Galo
137. Manuel de Jesús Sobalvarro Bravo
138. Denis Antonio García Jirón
139. Francisco Xavier Pineda Guatemala
140. Kevin Antonio Zamora Delgado y/o Zamora Delgado
141. Kaled Antonio Toruño Maradiaga
142. Luis Carlos Valle Tinoco
143. Michael Rodrigo Samorio Anderson
144. Pedro Joaquín Rodríguez Mendoza
145. Marvin Antonio Castellón Ubilla
146. Richard Alexanders Saavedra Cedeño
147. Gabriel Eliseo Sequeira García
148. Ángel Sebastián Martínez Arana
149. Richard De Jesús Martínez Arana
150. Adrián Alexander Arana y/o Adrián Alexander Martínez Arana
151. Brayan Vladimir Cornejo Rivas
152. Marvin Samir López Ñamendy
153. Norlan José Cárdenas Ortiz

THE NICARAGUA INQUIRY

154. Jean Carlos Ríos López
155. Maycol Antonio Arce
156. Wilbere Antonio Prado Gutiérrez
157. Juan Aníbal Zeledón Rodríguez
158. Sergio José Beteta Carrillo
159. Rodolfo Alexander Zamora Sandoval
160. Benjamín Ernesto Gutiérrez Collado
161. Eduardo José Morales Gadea
162. Wilbert Alberto Pérez
163. Carlos Alberto Bonilla López
164. Hader Humberto González Zeledón
165. Cristian David Meneses Machado
166. Edwar Enrique Lacayo Rodríguez
167. John Christopher Cerna Zúñiga
168. José Santo Sánchez Rodríguez
169. Kevin Roberto Solís
170. Néstor Eduardo Montealto Núñez
171. Uriel José Pérez
172. Víctor Manuel Soza Herrera
173. Marlon Gerardo Sáenz Cruz (Chino Enoc)
174. Víctor Manuel Díaz Pérez
175. Gustavo Adolfo Mendoza Beteta
176. William Antonio Caldera Navarrete
177. Ernesto Antonio Ramírez García
178. Jorge Junior Marengo Rojas
179. Jairo Lenin Centeno Ríos
180. Steven Moisés Mendoza
181. Wilmer Alfredo Mendoza Espinoza
182. María Esperanza Sánchez García
183. Karla Vanessa Escobar Maldonado
184. Julia Cristina Hernández Arévalo

THE NICARAGUA INQUIRY

185. Fredy Adán Valdivia Quintero
186. Antonio Zelaya Sevilla
187. Santos Isabel Pérez Valdivia
188. Emiliano Zeledón Valdivia
189. Jerling Uriel Cruz Ortiz
190. José Alcides Zeledón Úbeda
191. Jorge Adolfo García Arancibia
192. Yader Antonio Polanco Cisneros
193. Oliver José Montenegro Muñoz
194. Leyving Eliezer Chavarría
195. Luis Enrique Meza Lagos
196. Walter Antonio Montenegro Rivera
197. Moisés Alfredo Leiva Chavarría
198. Edilio Jordani García y/o García Cárdenas
199. Dorling Antonio Montenegro Muñoz
200. Jeziel David Chavarría Úbeda
201. Freddy Nolasco Zeledón Castillo
202. Samuel Enrique González
203. Mauricio Javier Valencia
204. Gerardo Antonio Mejía Montoya
205. Dennis Javier Palacios Hernández
206. Ezequiel de Jesús González Alvarado
207. Gabriel Renán Ramírez Somarriba
208. Jonny Alonso Castro Hernández
209. Kennis José Vargas Gutiérrez
210. Lesther José Selva
211. Baltazar Dávila Sobalvarro
212. Lázaro Ernesto Rivas Pérez
213. Carlos Antonio López Avendaño
214. Osmar Ramón Vindell López
215. Óscar Enmanuel Centeno Altamirano

THE NICARAGUA INQUIRY

216. Rogelio Francisco Cruz Calderón
217. Roberto Emilio Larios Meléndez
218. Humberto Alejandro Pérez Largaespada
219. Carlos Raúl Valle Guerrero
220. Gloria María Cajina Machado
221. Raúl Oporta León Cédula
222. Orlando Arturo Campos Correa